

EIGHTY-FIFTH GENERAL ASSEMBLY  
2013 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET

APRIL 23, 2013

Senate Amendment to  
HOUSE FILE 152

H-1328

1 Amend House File 152, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, before line 1 by inserting:  
4 <Section 1. Section 468.187, Code 2013, is amended  
5 to read as follows:  
6 468.187 Agreements with ~~outside~~ owners or other  
7 districts.  
8 1. Levee and drainage districts are empowered to  
9 enter into agreements with the owners of lands lying  
10 ~~inside or outside of said districts, or with other~~  
11 ~~levee and drainage districts or municipalities, to~~  
12 provide levee protection or drainage for such lands on  
13 such terms as the board may agree and subject to the  
14 following terms and conditions:  
15 ~~1- a.~~ The facilities of the district furnishing  
16 the service shall not be overburdened.  
17 ~~2- b.~~ There shall be no additional cost to the  
18 district furnishing the service.  
19 ~~3- c.~~ The agreement shall be in writing, be made  
20 a part of the drainage records and shall include all  
21 of the following:  
22 ~~a- (1)~~ The description of the lands to be served~~+~~.  
23 ~~b- (2)~~ The location of tile lines constructed or~~+~~  
24 to be constructed~~+~~.  
25 ~~c- (3)~~ The consideration to be paid to the  
26 district furnishing the service and the classification  
27 of the lands to be served~~+~~ and.  
28 ~~d- (4)~~ Such other provisions as the board deems  
29 necessary.  
30 2. The provisions in an agreement described in  
31 subsection 1 modify other provisions of this chapter  
32 applicable to such lands.>  
33 2. Page 2, line 27, after <trustees.> by inserting  
34 <The two additional persons shall be elected at  
35 large by all qualified voters for the entire drainage  
36 or levee district. Of the five persons elected as  
37 trustees of the new drainage or levee district, not  
38 more than two persons shall be elected from the same  
39 specified election district.>  
40 3. Title page, by striking lines 1 and 2 and  
41 inserting <An Act relating to drainage or levee  
42 districts by providing for agreements with owners  
43 of land located within districts, providing for the  
44 management of districts by a board of trustees, and  
45 including effective date provisions.>  
46 4. By renumbering, redesignating, and correcting  
47 internal references as necessary.

RECEIVED FROM THE SENATE

H-1328 FILED APRIL 22, 2013

HOUSE FILE 356

H-1324

1 Amend the Senate amendment, H-1280, to House File  
2 356, as amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by striking lines 7 and 8 and inserting  
5 <to collect thereon is sold or otherwise assigned for  
6 value to a third party other than a state or federally  
7 chartered bank or credit union,>

8 2. By renumbering as necessary.

**By** BALTIMORE of Boone

H-1324 FILED APRIL 22, 2013

HOUSE FILE 631

H-1323

1 Amend House File 631 as follows:

2 1. Page 1, by striking lines 15 through 26.

3 2. By renumbering as necessary.

**By** HAGENOW of Polk

H-1323 FILED APRIL 22, 2013

HOUSE FILE 641

H-1330

1 Amend House File 641 as follows:

2 1. Page 5, after line 24 by inserting:

3 <c. For the purpose of calculating the amount of  
4 new state sales tax revenues under paragraph "b", a  
5 retail sales tax permit issued before the date the  
6 ordinance establishing the district was first adopted  
7 under section 15J.3, subsection 4, that is held by a  
8 retailer whose place of business for that permit is  
9 located in a vertical improvement within the district  
10 that was substantially improved on or after the date  
11 the ordinance establishing the district was first  
12 adopted shall be considered a retail sales tax permit  
13 issued on or after the date the ordinance establishing  
14 the district was first adopted.>

15 2. Page 6, after line 2 by inserting:

16 <c. For the purpose of calculating the amount of  
17 new state hotel and motel tax revenues under paragraph  
18 "b", a permit for the collection of the state hotel  
19 and motel tax issued before the date the ordinance  
20 establishing the district was first adopted under  
21 section 15J.3, subsection 4, that is held by a retailer  
22 or lessor whose place of business for that permit is  
23 located in a vertical improvement within the district  
24 that was substantially improved on or after the date  
25 the ordinance establishing the district was first  
26 adopted shall be considered a permit issued on or after  
27 the date the ordinance establishing the district was  
28 first adopted.>

29 3. By renumbering, redesignating, and correcting  
30 internal references as necessary.

**By** BYRNES of Mitchell

H-1330 FILED APRIL 22, 2013

SENATE FILE 386

H-1322

1 Amend Senate File 386, as passed by the Senate, as  
2 follows:

3 1. Page 6, by striking lines 17 through 31 and  
4 inserting:

5 <Sec. \_\_\_\_\_. Section 321J.20, subsections 1 and 2,  
6 Code 2013, are amended to read as follows:

7 1. a. The department may, on application, issue  
8 a temporary restricted license to a person whose  
9 noncommercial driver's license is revoked under this  
10 chapter allowing the person to drive to and from the  
11 person's home and specified places at specified times  
12 which can be verified by the department and which are  
13 required by ~~the~~ any of the following:

14 (1) The person's full-time or part-time  
15 employment.

16 (2) The person's continuing health care or the  
17 continuing health care of another who is dependent upon  
18 the person.

19 (3) The person's continuing education while  
20 enrolled in an educational institution on a part-time  
21 or full-time basis and while pursuing a course of study  
22 leading to a diploma, degree, or other certification of  
23 successful educational completion.

24 (4) The person's substance abuse treatment.

25 (5) The person's court-ordered community service  
26 responsibilities, and appointments.

27 (6) Appointments with the person's parole or  
28 probation officer.

29 (7) Transport of the person's dependent minor child  
30 to and from school when public school transportation is  
31 not available for the child.

32 (8) Transport of the person's dependent minor child  
33 to and from child care when necessary for the person's  
34 full-time or part-time employment.

35 b. The department may also issue a temporary  
36 restricted license under this subsection that allows  
37 the person to drive for work purposes within the scope  
38 of the person's full-time or part-time employment.  
39 Any vehicle operated within the scope of the person's  
40 full-time or part-time employment must be equipped  
41 at all times with an ignition interlock device of a  
42 type approved by the commissioner of public safety,  
43 notwithstanding any provision of section 321J.4,  
44 321J.9, or 321J.12 to the contrary.

45 c. The department may issue a temporary restricted  
46 license under this subsection only if the person's  
47 driver's license has not been revoked previously under  
48 section 321J.4, 321J.9, or 321J.12 and if any of the  
49 following apply:

50 (1) The person's noncommercial driver's license is

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1 revoked under section 321J.4 and the minimum period of  
2 ineligibility for issuance of a temporary restricted  
3 license has expired. This subsection shall not apply  
4 to a revocation ordered under section 321J.4 resulting  
5 from a plea or verdict of guilty of a violation of  
6 section 321J.2 that involved a death.

7 (2) The person's noncommercial driver's license is  
8 revoked under section 321J.9 and the person has entered  
9 a plea of guilty on a charge of a violation of section  
10 321J.2 which arose from the same set of circumstances  
11 which resulted in the person's driver's license  
12 revocation under section 321J.9 and the guilty plea  
13 is not withdrawn at the time of or after application  
14 for the temporary restricted license, and the minimum  
15 period of ineligibility for issuance of a temporary  
16 restricted license has expired.

17 (3) The person's noncommercial driver's license is  
18 revoked under section 321J.12, and the minimum period  
19 of ineligibility for issuance of a temporary restricted  
20 license has expired.

21 ~~b.~~ d. A temporary restricted license may  
22 be issued under this subsection if the person's  
23 noncommercial driver's license is revoked for two years  
24 under section 321J.4, subsection 2, or section 321J.9,  
25 subsection 1, paragraph "b", and the first three  
26 hundred sixty-five days of the revocation have expired.

27 ~~e.~~ e. This subsection does not apply to a person  
28 whose license was revoked under section 321J.2A or  
29 section 321J.4, subsection 4 or 6, or to a person whose  
30 license is suspended or revoked for another reason.

31 ~~d.~~ f. Following the applicable minimum period  
32 of ineligibility, a temporary restricted license  
33 under this subsection shall not be issued until the  
34 applicant installs an ignition interlock device of a  
35 type approved by the commissioner of public safety on  
36 all motor vehicles owned or operated by the applicant  
37 in accordance with section 321J.2, 321J.4, 321J.9,  
38 or 321J.12, or this subsection. Installation of an  
39 ignition interlock device under this subsection shall  
40 be required for the period of time for which the  
41 temporary restricted license is issued and for such  
42 additional period of time following reinstatement as is  
43 required under section 321J.17, subsection 3.

44 2. Page 7, by striking lines 16 through 21 and  
45 inserting <which are required by the any of the  
46 following:

47 (1) The person's full-time or part-time  
48 employment.

49 (2) The person's continuing health care or the  
50 continuing health care of another who is dependent upon

1 the person.

2 (3) The person's continuing education while  
3 enrolled in an educational institution on a part-time  
4 or full-time basis and while pursuing a course of study  
5 leading to a diploma, degree, or other certification of  
6 successful educational completion, ~~or~~.

7 (4) The person's substance abuse treatment.

8 (5) The person's court-ordered community service  
9 responsibilities.

10 (6) Appointments with the person's parole or  
11 probation officer.

12 (7) Transport of the person's dependent minor child  
13 to and from child care when necessary for the person's  
14 full-time or part-time employment.>

15 3. By renumbering as necessary.

**By** BALTIMORE of Boone

SENATE FILE 406

H-1331

1 Amend Senate File 406, as passed by the Senate, as  
2 follows:  
3 1. Page 8, after line 22 by inserting:  
4 <Sec. \_\_\_\_\_. Section 229.22, subsection 2, paragraph  
5 a, Code 2013, is amended to read as follows:  
6 a. In the circumstances described in subsection  
7 1, any peace officer who has reasonable grounds to  
8 believe that a person is mentally ill, and because  
9 of that illness is likely to physically injure the  
10 person's self or others if not immediately detained,  
11 may without a warrant take or cause that person to be  
12 taken to the nearest available facility or hospital as  
13 defined in section 229.11, subsection 1, paragraphs  
14 "b" and "c". A person believed mentally ill, and  
15 likely to injure the person's self or others if not  
16 immediately detained, may be delivered to a facility  
17 or hospital by someone other than a peace officer.  
18 Upon delivery of the person believed mentally ill to  
19 the facility or hospital, the examining physician,  
20 examining physician assistant, or examining psychiatric  
21 advanced registered nurse practitioner may order  
22 treatment of that person, including chemotherapy, but  
23 only to the extent necessary to preserve the person's  
24 life or to appropriately control behavior by the  
25 person which is likely to result in physical injury  
26 to that person or others if allowed to continue. The  
27 peace officer who took the person into custody, or  
28 other party who brought the person to the facility  
29 or hospital, shall describe the circumstances of the  
30 matter to the examining physician, examining physician  
31 assistant, or examining psychiatric advanced registered  
32 nurse practitioner. If the person is a peace officer,  
33 the peace officer may do so either in person or by  
34 written report. If the examining physician, examining  
35 physician assistant, or examining psychiatric advanced  
36 registered nurse practitioner finds that there  
37 is reason to believe that the person is seriously  
38 mentally impaired, and because of that impairment  
39 is likely to physically injure the person's self or  
40 others if not immediately detained, the examining  
41 physician, examining physician assistant, or examining  
42 psychiatric advanced registered nurse practitioner  
43 shall at once communicate with the nearest available  
44 magistrate as defined in section 801.4, subsection 10.  
45 The magistrate shall, based upon the circumstances  
46 described by the examining physician, examining  
47 physician assistant, or examining psychiatric advanced  
48 registered nurse practitioner, give the examining  
49 physician, examining physician assistant, or examining  
50 psychiatric advanced registered nurse practitioner

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1 oral instructions either directing that the person  
2 be released forthwith or authorizing the person's  
3 detention in an appropriate facility. A peace officer  
4 from the law enforcement agency that took the person  
5 into custody, if available, during the communication  
6 with the magistrate, may inform the magistrate that  
7 an arrest warrant has been issued for or charges  
8 are pending against the person and request that any  
9 oral or written order issued under this subsection  
10 require the facility or hospital to notify the law  
11 enforcement agency about the discharge of the person  
12 prior to discharge. The magistrate may also give oral  
13 instructions and order that the detained person be  
14 transported to an appropriate facility.>  
15 2. By renumbering as necessary.

**By** HALL of Woodbury

**H-1331** FILED APRIL 22, 2013

**SENATE FILE 435**

**H-1321**

1 Amend the amendment, [H-1297](#), to [Senate File 435](#),  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 11, line 17, by striking <2,400,000> and  
5 inserting <2,900,000>

6 2. Page 11, after line 19 by inserting:

7 <c. (1) Of the moneys appropriated in paragraph  
8 "a", \$500,000 shall be transferred to the Iowa  
9 cooperative extension service in agriculture and home  
10 economics at Iowa state university to be for purposes  
11 of providing outreach, education, and support services.

12 (2) The Iowa cooperative extension service shall  
13 use moneys transferred in subparagraph (1) to provide  
14 organizational and technical support to formal  
15 associations of persons who hold a legal interest in  
16 land used for agricultural production in priority  
17 watersheds approved by the water resources coordinating  
18 council established pursuant to section 466B.3 and to  
19 implement practices that result in measured improvement  
20 in water quality consistent with the purpose of an  
21 Iowa nutrient reduction strategy. The strategy shall  
22 assess and reduce nitrogen and phosphorus in this  
23 state's water sources, and especially its watersheds  
24 in a manner consistent with the latest revision of the  
25 document entitled "Iowa Nutrient Reduction Strategy"  
26 initially presented in November 2012 by the department  
27 of agriculture and land stewardship, the department of  
28 natural resources, and Iowa state university of science  
29 and technology.>

**By** ISENHART of Dubuque  
BEARINGER of Fayette

**H-1321** FILED APRIL 22, 2013

SENATE FILE 435

H-1325

1 Amend the amendment, H-1297, to Senate File 435,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, after line 32 by inserting:

5 <\_\_\_\_. Of the amount appropriated in subsection  
6 1, \$1,000 shall be used by the department of natural  
7 resources to establish resources and strategies to  
8 promote the reduction and recovery of excess food items  
9 generated on a large scale by businesses formed on a  
10 profit or nonprofit basis, state agencies, and local  
11 governments.

12 a. The department shall establish resources and  
13 strategies based on the same priorities set forth in  
14 the food recovery hierarchy adopted by the United  
15 States environmental protection agency. The department  
16 shall develop resources and strategies for practical  
17 voluntary use by businesses, state agencies, and local  
18 governments.

19 b. The department, including its Iowa waste  
20 exchange, shall administer this subsection in  
21 cooperation with the Iowa waste reduction center for  
22 the safe and economic management of solid waste and  
23 hazardous substances established pursuant to section  
24 268.4.

25 c. The department shall prepare a report that  
26 identifies barriers that prevent businesses, state  
27 agencies, and local governments from reducing and  
28 recovering excess food items, and makes recommendations  
29 regarding how state government may better provide  
30 resources and strategies described in this subsection.  
31 In preparing the report the department shall consult  
32 with interested persons who generate a large volume  
33 of excess food items, or associations representing  
34 such persons, including for profit or nonprofit  
35 businesses; state agencies, including the department of  
36 corrections, regents institutions, community colleges,  
37 and hospitals; and local governments. The department  
38 shall submit a report to the governor and general  
39 assembly by January 1, 2015.>

40 2. By renumbering, redesignating, and correcting  
41 internal references as necessary.

By ISENHART of Dubuque  
JACOBY of Johnson

H-1325 FILED APRIL 22, 2013

SENATE FILE 435

H-1326

1 Amend the amendment, H-1297, to Senate File 435,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, line 20, by striking <17,581,328> and  
5 inserting <17,831,328>

6 2. Page 1, after line 27 by inserting:

7 <2A. a. Of the amount appropriated in subsection  
8 1, up to \$250,000 shall be deposited in the local  
9 food and farm program fund created in section 267A.5,  
10 contingent upon a dollar for dollar match with moneys  
11 deposited into the fund by a source other than the  
12 state.

13 b. The moneys specified in paragraph "a" shall  
14 be used for purposes of supporting the innovative  
15 diversification of agricultural products for delivery  
16 to local and regional markets.>

17 3. By renumbering, redesignating, and correcting  
18 internal references as necessary.

By ISENHART of Dubuque  
KRESSIG of Black Hawk

H-1326 FILED APRIL 22, 2013

SENATE FILE 442

H-1327

1 Amend the amendment, H-1306, to Senate File 442, as  
2 passed by the Senate, as follows:

3 1. By striking page 1, line 1, through page 6, line  
4 26, and inserting:

5 <Amend Senate File 442, as passed by the Senate, as  
6 follows:

7 1. By striking everything after the enacting clause  
8 and inserting:

9 <DIVISION I  
10 FY 2013-2014

11 Section 1. JUDICIAL BRANCH.

12 1. There is appropriated from the general fund of  
13 the state to the judicial branch for the fiscal year  
14 beginning July 1, 2013, and ending June 30, 2014, the  
15 following amount, or so much thereof as is necessary,  
16 to be used for the purposes designated:

17 a. For salaries of supreme court justices,  
18 appellate court judges, district court judges,  
19 district associate judges, associate juvenile judges,  
20 associate probate judges, judicial magistrates and  
21 staff, state court administrator, clerk of the supreme  
22 court, district court administrators, clerks of the  
23 district court, juvenile court officers, board of law  
24 examiners and board of examiners of shorthand reporters  
25 and judicial qualifications commission; receipt and  
26 disbursement of child support payments; reimbursement  
27 of the auditor of state for expenses incurred in  
28 completing audits of the offices of the clerks of the  
29 district court during the fiscal year beginning July  
30 1, 2013; and maintenance, equipment, and miscellaneous  
31 purposes:

32 ..... \$164,599,367

33 b. For deposit in the revolving fund created  
34 pursuant to section 602.1302, subsection 3, for jury  
35 and witness fees, mileage, costs related to summoning  
36 jurors, fees for interpreters, and reimbursement of  
37 attorney fees paid by the state public defender:

38 ..... \$ 3,100,000

39 2. The judicial branch, except for purposes of  
40 internal processing, shall use the current state budget  
41 system, the state payroll system, and the Iowa finance  
42 and accounting system in administration of programs  
43 and payments for services, and shall not duplicate the  
44 state payroll, accounting, and budgeting systems.

45 3. The judicial branch shall submit monthly  
46 financial statements to the legislative services  
47 agency and the department of management containing  
48 all appropriated accounts in the same manner as  
49 provided in the monthly financial status reports and  
50 personal services usage reports of the department

1 of administrative services. The monthly financial  
2 statements shall include a comparison of the dollars  
3 and percentage spent of budgeted versus actual revenues  
4 and expenditures on a cumulative basis for full-time  
5 equivalent positions and dollars.

6 4. The judicial branch shall focus efforts upon the  
7 collection of delinquent fines, penalties, court costs,  
8 fees, surcharges, or similar amounts.

9 5. The offices of the clerks of the district court  
10 shall operate in all 99 counties and be accessible to  
11 the public during regular business hours.

12 6. In addition to the requirements for transfers  
13 under section 8.39, the judicial branch shall not  
14 change the appropriations from the amounts appropriated  
15 to the judicial branch in this division of this Act,  
16 unless notice of the revisions is given prior to their  
17 effective date to the legislative services agency.  
18 The notice shall include information on the branch's  
19 rationale for making the changes and details concerning  
20 the workload and performance measures upon which the  
21 changes are based.

22 7. The judicial branch shall submit a semiannual  
23 update to the legislative services agency specifying  
24 the amounts of fines, surcharges, and court costs  
25 collected using the Iowa court information system since  
26 the last report. The judicial branch shall continue  
27 to facilitate the sharing of vital sentencing and  
28 other information with other state departments and  
29 governmental agencies involved in the criminal justice  
30 system through the Iowa court information system.

31 8. The judicial branch shall provide a report to  
32 the general assembly by January 1, 2014, concerning  
33 the amounts received and expended from the enhanced  
34 court collections fund created in section 602.1304 and  
35 the court technology and modernization fund created in  
36 section 602.8108, subsection 7, during the fiscal year  
37 beginning July 1, 2012, and ending June 30, 2013, and  
38 the plans for expenditures from each fund during the  
39 fiscal year beginning July 1, 2013, and ending June 30,  
40 2014. A copy of the report shall be provided to the  
41 legislative services agency.

42 Sec. 2. CIVIL TRIALS ---- LOCATION. Notwithstanding  
43 any provision to the contrary, for the fiscal year  
44 beginning July 1, 2013, and ending June 30, 2014, if  
45 all parties in a case agree, a civil trial including a  
46 jury trial may take place in a county contiguous to the  
47 county with proper jurisdiction, even if the contiguous  
48 county is located in an adjacent judicial district or  
49 judicial election district. If the trial is moved  
50 pursuant to this section, court personnel shall treat

1 the case as if a change of venue occurred. However,  
2 if a trial is moved to an adjacent judicial district  
3 or judicial election district, the judicial officers  
4 serving in the judicial district or judicial election  
5 district receiving the case shall preside over the  
6 case.

7 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding  
8 section 602.1509, for the fiscal year beginning July 1,  
9 2013, a judicial officer may waive travel reimbursement  
10 for any travel outside the judicial officer's county of  
11 residence to conduct official judicial business.

12 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ----  
13 LEGISLATIVE SERVICES AGENCY. All reports or copies of  
14 reports required to be provided by the judicial branch  
15 for fiscal year 2013-2014 to the legislative services  
16 agency shall be provided in an electronic format. The  
17 legislative services agency shall post the reports on  
18 its internet website and shall notify by electronic  
19 means all the members of the joint appropriations  
20 subcommittee on the justice system when a report  
21 is posted. Upon request, copies of the reports may  
22 be mailed to members of the joint appropriations  
23 subcommittee on the justice system.

24 Sec. 5. JUDICIAL OFFICER ---- UNPAID  
25 LEAVE. Notwithstanding the annual salary rates  
26 for judicial officers established by 2008 Iowa Acts,  
27 chapter 1191, section 11, for the fiscal year beginning  
28 July 1, 2013, and ending June 30, 2014, the supreme  
29 court may by order place all judicial officers on  
30 unpaid leave status on any day employees of the  
31 judicial branch are placed on temporary layoff status.  
32 The biweekly pay of the judicial officers shall be  
33 reduced accordingly for the pay period in which the  
34 unpaid leave date occurred in the same manner as for  
35 noncontract employees of the judicial branch. Through  
36 the course of the fiscal year, the judicial branch may  
37 use an amount equal to the aggregate amount of salary  
38 reductions due to the judicial officer unpaid leave  
39 days for any purpose other than for judicial salaries.

40 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the  
41 intent of the general assembly that the judicial branch  
42 utilize the Iowa communications network or other secure  
43 electronic communications in lieu of traveling for the  
44 fiscal year beginning July 1, 2013.

45 DIVISION II  
46 FY 2014-2015

47 Sec. 7. JUDICIAL BRANCH.

48 1. There is appropriated from the general fund of  
49 the state to the judicial branch for the fiscal year  
50 beginning July 1, 2014, and ending June 30, 2015, the

1 following amount, or so much thereof as is necessary,  
2 to be used for the purposes designated:

3 a. For salaries of supreme court justices,  
4 appellate court judges, district court judges,  
5 district associate judges, associate juvenile judges,  
6 associate probate judges, judicial magistrates and  
7 staff, state court administrator, clerk of the supreme  
8 court, district court administrators, clerks of the  
9 district court, juvenile court officers, board of law  
10 examiners and board of examiners of shorthand reporters  
11 and judicial qualifications commission; receipt and  
12 disbursement of child support payments; reimbursement  
13 of the auditor of state for expenses incurred in  
14 completing audits of the offices of the clerks of the  
15 district court during the fiscal year beginning July  
16 1, 2014; and maintenance, equipment, and miscellaneous  
17 purposes:

18 ..... \$139,909,462

19 b. For deposit in the revolving fund created  
20 pursuant to section 602.1302, subsection 3, for jury  
21 and witness fees, mileage, costs related to summoning  
22 jurors, fees for interpreters, and reimbursement of  
23 attorney fees paid by the state public defender:

24 ..... \$ 2,635,000

25 2. The judicial branch, except for purposes of  
26 internal processing, shall use the current state budget  
27 system, the state payroll system, and the Iowa finance  
28 and accounting system in administration of programs  
29 and payments for services, and shall not duplicate the  
30 state payroll, accounting, and budgeting systems.

31 3. The judicial branch shall submit monthly  
32 financial statements to the legislative services  
33 agency and the department of management containing  
34 all appropriated accounts in the same manner as  
35 provided in the monthly financial status reports and  
36 personal services usage reports of the department  
37 of administrative services. The monthly financial  
38 statements shall include a comparison of the dollars  
39 and percentage spent of budgeted versus actual revenues  
40 and expenditures on a cumulative basis for full-time  
41 equivalent positions and dollars.

42 4. The judicial branch shall focus efforts upon the  
43 collection of delinquent fines, penalties, court costs,  
44 fees, surcharges, or similar amounts.

45 5. The offices of the clerks of the district court  
46 shall operate in all 99 counties and be accessible to  
47 the public during regular business hours.

48 6. In addition to the requirements for transfers  
49 under section 8.39, the judicial branch shall not  
50 change the appropriations from the amounts appropriated

1 to the judicial branch in this division of this Act,  
2 unless notice of the revisions is given prior to their  
3 effective date to the legislative services agency.  
4 The notice shall include information on the branch's  
5 rationale for making the changes and details concerning  
6 the workload and performance measures upon which the  
7 changes are based.

8 7. The judicial branch shall submit a semiannual  
9 update to the legislative services agency specifying  
10 the amounts of fines, surcharges, and court costs  
11 collected using the Iowa court information system since  
12 the last report. The judicial branch shall continue  
13 to facilitate the sharing of vital sentencing and  
14 other information with other state departments and  
15 governmental agencies involved in the criminal justice  
16 system through the Iowa court information system.

17 8. The judicial branch shall provide a report to  
18 the general assembly by January 1, 2015, concerning  
19 the amounts received and expended from the enhanced  
20 court collections fund created in section 602.1304 and  
21 the court technology and modernization fund created in  
22 section 602.8108, subsection 7, during the fiscal year  
23 beginning July 1, 2013, and ending June 30, 2014, and  
24 the plans for expenditures from each fund during the  
25 fiscal year beginning July 1, 2014, and ending June 30,  
26 2015. A copy of the report shall be provided to the  
27 legislative services agency.

28 Sec. 8. CIVIL TRIALS ---- LOCATION. Notwithstanding  
29 any provision to the contrary, for the fiscal year  
30 beginning July 1, 2014, and ending June 30, 2015, if  
31 all parties in a case agree, a civil trial including a  
32 jury trial may take place in a county contiguous to the  
33 county with proper jurisdiction, even if the contiguous  
34 county is located in an adjacent judicial district or  
35 judicial election district. If the trial is moved  
36 pursuant to this section, court personnel shall treat  
37 the case as if a change of venue occurred. However,  
38 if a trial is moved to an adjacent judicial district  
39 or judicial election district, the judicial officers  
40 serving in the judicial district or judicial election  
41 district receiving the case shall preside over the  
42 case.

43 Sec. 9. TRAVEL REIMBURSEMENT. Notwithstanding  
44 section 602.1509, for the fiscal year beginning July 1,  
45 2014, a judicial officer may waive travel reimbursement  
46 for any travel outside the judicial officer's county of  
47 residence to conduct official judicial business.

48 Sec. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT ----  
49 LEGISLATIVE SERVICES AGENCY. All reports or copies of  
50 reports required to be provided by the judicial branch

1 for fiscal year 2014-2015 to the legislative services  
2 agency shall be provided in an electronic format. The  
3 legislative services agency shall post the reports on  
4 its internet website and shall notify by electronic  
5 means all the members of the joint appropriations  
6 subcommittee on the justice system when a report  
7 is posted. Upon request, copies of the reports may  
8 be mailed to members of the joint appropriations  
9 subcommittee on the justice system.

10 Sec. 11. JUDICIAL OFFICER ---- UNPAID  
11 LEAVE. Notwithstanding the annual salary rates  
12 for judicial officers established by 2008 Iowa Acts,  
13 chapter 1191, section 11, for the fiscal year beginning  
14 July 1, 2014, and ending June 30, 2015, the supreme  
15 court may by order place all judicial officers on  
16 unpaid leave status on any day employees of the  
17 judicial branch are placed on temporary layoff status.  
18 The biweekly pay of the judicial officers shall be  
19 reduced accordingly for the pay period in which the  
20 unpaid leave date occurred in the same manner as for  
21 noncontract employees of the judicial branch. Through  
22 the course of the fiscal year, the judicial branch may  
23 use an amount equal to the aggregate amount of salary  
24 reductions due to the judicial officer unpaid leave  
25 days for any purpose other than for judicial salaries.

26 Sec. 12. IOWA COMMUNICATIONS NETWORK. It is the  
27 intent of the general assembly that the judicial branch  
28 utilize the Iowa communications network or other secure  
29 electronic communications in lieu of traveling for the  
30 fiscal year beginning July 1, 2014.

31 \_\_\_\_\_. Page 1, after line 1 by inserting:

32 Sec. \_\_\_\_\_. SUPREME COURT JUSTICE SALARY.

33 1. Any justice appointed to the supreme court  
34 prior to April 3, 2009, and who remains a justice of  
35 the supreme court on or after the date the electorate  
36 ratifies a constitutional amendment declaring marriage  
37 between one man and one woman is the only valid or  
38 recognized legal union in this state, shall have the  
39 salary of the justice reduced in accordance with this  
40 section unless the justice resigns immediately.

41 2. If the justice does not resign, the salary  
42 reduction shall be calculated and implemented as  
43 follows:

44 a. The total amount to be reduced from the future  
45 salary of such a justice shall equal the difference  
46 between the total amount of the salary earned by  
47 the justice between April 3, 2009, and the date the  
48 electorate ratified the constitutional amendment,  
49 and the total amount of the salary earned by a member  
50 of the general assembly between April 3, 2009, and

1 the date the electorate ratified the constitutional  
2 amendment.

3 b. Upon calculating the total amount of the salary  
4 to be reduced pursuant to paragraph "a", the salary of  
5 the justice shall be reduced to equal the salary of a  
6 current member of the general assembly.

7 c. The salary of the justice shall be reduced until  
8 such time as the total amount of the salary to be  
9 reduced in paragraph "a" equals the total amount of the  
10 actual salary reduction under paragraph "b".>>

**By** ALONS of Sioux

GASSMAN of Winnebago

SHAW of Pocahontas

HEARTSILL of Marion

SHEETS of Appanoose

SENATE FILE 447

H-1329

1 Amend Senate File 447, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I  
6 FY 2013-2014  
7 APPROPRIATIONS

8 Section 1. DEPARTMENT OF JUSTICE.

9 1. There is appropriated from the general fund  
10 of the state to the department of justice for the  
11 fiscal year beginning July 1, 2013, and ending June 30,  
12 2014, the following amounts, or so much thereof as is  
13 necessary, to be used for the purposes designated:

14 a. For the general office of attorney general for  
15 salaries, support, maintenance, and miscellaneous  
16 purposes, including the prosecuting attorneys training  
17 program, matching funds for federal violence against  
18 women grant programs, victim assistance grants, office  
19 of drug control policy prosecuting attorney program,  
20 and odometer fraud enforcement, and for not more than  
21 the following full-time equivalent positions:

22 ..... \$ 7,221,367  
23 ..... FTEs 214.00

24 It is the intent of the general assembly that as  
25 a condition of receiving the appropriation provided  
26 in this lettered paragraph, the department of justice  
27 shall maintain a record of the estimated time incurred  
28 representing each agency or department.

29 b. For victim assistance grants:

30 ..... \$ 2,876,400

31 The funds appropriated in this lettered paragraph  
32 shall be used to provide grants to care providers  
33 providing services to crime victims of domestic abuse  
34 or to crime victims of rape and sexual assault.

35 The balance of the victim compensation fund  
36 established in section 915.94 may be used to provide  
37 salary and support of not more than 24 FTEs and  
38 to provide maintenance for the victim compensation  
39 functions of the department of justice.

40 The department of justice shall transfer at least  
41 \$150,000 from the victim compensation fund established  
42 in section 915.94 to the victim assistance grant  
43 program.

44 c. For legal services for persons in poverty grants  
45 as provided in section 13.34:

46 ..... \$ 2,107,416

47 2. a. The department of justice, in submitting  
48 budget estimates for the fiscal year commencing July  
49 1, 2014, pursuant to section 8.23, shall include a  
50 report of funding from sources other than amounts

H-1329

1 appropriated directly from the general fund of the  
 2 state to the department of justice or to the office of  
 3 consumer advocate. These funding sources shall include  
 4 but are not limited to reimbursements from other state  
 5 agencies, commissions, boards, or similar entities, and  
 6 reimbursements from special funds or internal accounts  
 7 within the department of justice. The department of  
 8 justice shall also report actual reimbursements for the  
 9 fiscal year commencing July 1, 2012, and actual and  
 10 expected reimbursements for the fiscal year commencing  
 11 July 1, 2013.

12 b. The department of justice shall include the  
 13 report required under paragraph "a", as well as  
 14 information regarding any revisions occurring as a  
 15 result of reimbursements actually received or expected  
 16 at a later date, in a report to the co-chairpersons  
 17 and ranking members of the joint appropriations  
 18 subcommittee on the justice system and the legislative  
 19 services agency. The department of justice shall  
 20 submit the report on or before January 15, 2014.

21 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is  
 22 appropriated from the department of commerce revolving  
 23 fund created in section 546.12 to the office of  
 24 consumer advocate of the department of justice for the  
 25 fiscal year beginning July 1, 2013, and ending June 30,  
 26 2014, the following amount, or so much thereof as is  
 27 necessary, to be used for the purposes designated:

28 For salaries, support, maintenance, miscellaneous  
 29 purposes, and for not more than the following full-time  
 30 equivalent positions:

31 .....	\$	3,136,163
32 .....	FTEs	22.00

33 Sec. 3. DEPARTMENT OF CORRECTIONS ---- FACILITIES.

34 1. There is appropriated from the general fund of  
 35 the state to the department of corrections for the  
 36 fiscal year beginning July 1, 2013, and ending June  
 37 30, 2014, the following amounts, or so much thereof as  
 38 is necessary, to be used for the operation of adult  
 39 correctional institutions, reimbursement of counties  
 40 for certain confinement costs, and federal prison  
 41 reimbursement, to be allocated as follows:

42 a. For the operation of the Fort Madison  
 43 correctional facility, including salaries, support,  
 44 maintenance, and miscellaneous purposes:

45 .....	\$	43,107,133
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46 The department of corrections shall submit, to  
 47 the co-chairpersons and ranking members of the joint  
 48 appropriations subcommittee on the justice system by  
 49 January 15, 2014, the plans for the integration of the  
 50 John Bennett facility and the clinical care unit into

1 the new Fort Madison maximum security correctional  
2 facility and the future plans for the use of the  
3 current Fort Madison maximum security correctional  
4 facility after the inmates are transferred to the new  
5 facility.  
6 b. For the operation of the Anamosa correctional  
7 facility, including salaries, support, maintenance, and  
8 miscellaneous purposes:  
9 ..... \$ 31,277,482  
10 c. For the operation of the Oakdale correctional  
11 facility, including salaries, support, maintenance, and  
12 miscellaneous purposes:  
13 ..... \$ 58,550,123  
14 d. For the operation of the Newton correctional  
15 facility, including salaries, support, maintenance, and  
16 miscellaneous purposes:  
17 ..... \$ 27,127,290  
18 e. For the operation of the Mt. Pleasant  
19 correctional facility, including salaries, support,  
20 maintenance, and miscellaneous purposes:  
21 ..... \$ 24,811,427  
22 f. For the operation of the Rockwell City  
23 correctional facility, including salaries, support,  
24 maintenance, and miscellaneous purposes:  
25 ..... \$ 9,671,148  
26 g. For the operation of the Clarinda correctional  
27 facility, including salaries, support, maintenance, and  
28 miscellaneous purposes:  
29 ..... \$ 25,241,616  
30 Moneys received by the department of corrections as  
31 reimbursement for services provided to the Clarinda  
32 youth corporation are appropriated to the department  
33 and shall be used for the purpose of operating the  
34 Clarinda correctional facility.  
35 h. For the operation of the Mitchellville  
36 correctional facility, including salaries, support,  
37 maintenance, and miscellaneous purposes:  
38 ..... \$ 21,604,035  
39 i. For the operation of the Fort Dodge correctional  
40 facility, including salaries, support, maintenance, and  
41 miscellaneous purposes:  
42 ..... \$ 29,865,232  
43 j. For reimbursement of counties for temporary  
44 confinement of work release and parole violators, as  
45 provided in sections 901.7, 904.908, and 906.17, and  
46 for offenders confined pursuant to section 904.513:  
47 ..... \$ 1,075,092  
48 k. For federal prison reimbursement, reimbursements  
49 for out-of-state placements, and miscellaneous  
50 contracts:

1 ..... \$ 484,411  
2 2. The department of corrections shall use moneys  
3 appropriated in subsection 1 to continue to contract  
4 for the services of a Muslim imam and a Native American  
5 spiritual leader.

6 Sec. 4. DEPARTMENT OF CORRECTIONS ----

7 ADMINISTRATION. There is appropriated from the general  
8 fund of the state to the department of corrections for  
9 the fiscal year beginning July 1, 2013, and ending June  
10 30, 2014, the following amounts, or so much thereof as  
11 is necessary, to be used for the purposes designated:

12 1. For general administration, including salaries,  
13 support, maintenance, employment of an education  
14 director to administer a centralized education  
15 program for the correctional system, and miscellaneous  
16 purposes:

17 ..... \$ 5,081,582

18 a. It is the intent of the general assembly  
19 that each lease negotiated by the department of  
20 corrections with a private corporation for the purpose  
21 of providing private industry employment of inmates in  
22 a correctional institution shall prohibit the private  
23 corporation from utilizing inmate labor for partisan  
24 political purposes for any person seeking election to  
25 public office in this state and that a violation of  
26 this requirement shall result in a termination of the  
27 lease agreement.

28 b. It is the intent of the general assembly that as  
29 a condition of receiving the appropriation provided in  
30 this subsection the department of corrections shall not  
31 enter into a lease or contractual agreement pursuant to  
32 section 904.809 with a private corporation for the use  
33 of building space for the purpose of providing inmate  
34 employment without providing that the terms of the  
35 lease or contract establish safeguards to restrict, to  
36 the greatest extent feasible, access by inmates working  
37 for the private corporation to personal identifying  
38 information of citizens.

39 2. For educational programs for inmates at state  
40 penal institutions:

41 ..... \$ 2,358,109

42 a. To maximize the funding for educational  
43 programs, the department shall establish guidelines  
44 and procedures to prioritize the availability of  
45 educational and vocational training for inmates based  
46 upon the goal of facilitating an inmate's successful  
47 release from the correctional institution.

48 b. The director of the department of corrections  
49 may transfer moneys from Iowa prison industries and the  
50 canteen operating funds established pursuant to section

1 904.310, for use in educational programs for inmates.  
2 c. Notwithstanding section 8.33, moneys  
3 appropriated in this subsection that remain unobligated  
4 or unexpended at the close of the fiscal year shall not  
5 revert but shall remain available to be used only for  
6 the purposes designated in this subsection until the  
7 close of the succeeding fiscal year.  
8 3. For the development of the Iowa corrections  
9 offender network (ICON) data system:  
10 ..... \$ 2,000,000  
11 4. For offender mental health and substance abuse  
12 treatment:  
13 ..... \$ 22,319  
14 5. For viral hepatitis prevention and treatment:  
15 ..... \$ 167,881  
16 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF  
17 CORRECTIONAL SERVICES.  
18 1. There is appropriated from the general fund of  
19 the state to the department of corrections for the  
20 fiscal year beginning July 1, 2013, and ending June  
21 30, 2014, for salaries, support, maintenance, and  
22 miscellaneous purposes, the following amounts, or  
23 so much thereof as is necessary, to be allocated as  
24 follows:  
25 a. For the first judicial district department of  
26 correctional services:  
27 ..... \$ 13,646,172  
28 b. For the second judicial district department of  
29 correctional services:  
30 ..... \$ 10,870,425  
31 c. For the third judicial district department of  
32 correctional services:  
33 ..... \$ 6,885,470  
34 d. For the fourth judicial district department of  
35 correctional services:  
36 ..... \$ 5,495,309  
37 e. For the fifth judicial district department of  
38 correctional services, including funding for electronic  
39 monitoring devices for use on a statewide basis:  
40 ..... \$ 19,375,428  
41 f. For the sixth judicial district department of  
42 correctional services:  
43 ..... \$ 14,095,408  
44 g. For the seventh judicial district department of  
45 correctional services:  
46 ..... \$ 7,363,514  
47 h. For the eighth judicial district department of  
48 correctional services:  
49 ..... \$ 7,869,317  
50 2. Each judicial district department of

1 correctional services, within the funding available,  
2 shall continue programs and plans established within  
3 that district to provide for intensive supervision, sex  
4 offender treatment, diversion of low-risk offenders  
5 to the least restrictive sanction available, job  
6 development, and expanded use of intermediate criminal  
7 sanctions.

8 3. Each judicial district department of  
9 correctional services shall provide alternatives to  
10 prison consistent with chapter 901B. The alternatives  
11 to prison shall ensure public safety while providing  
12 maximum rehabilitation to the offender. A judicial  
13 district department of correctional services may also  
14 establish a day program.

15 4. The governor's office of drug control policy  
16 shall consider federal grants made to the department  
17 of corrections for the benefit of each of the eight  
18 judicial district departments of correctional services  
19 as local government grants, as defined pursuant to  
20 federal regulations.

21 5. The department of corrections shall continue  
22 to contract with a judicial district department  
23 of correctional services to provide for the rental  
24 of electronic monitoring equipment which shall be  
25 available statewide.

26 Sec. 6. DEPARTMENT OF CORRECTIONS ---- REALLOCATION  
27 OF APPROPRIATIONS. Notwithstanding section 8.39,  
28 within the moneys appropriated in this division of this  
29 Act to the department of corrections, the department  
30 may reallocate the moneys appropriated and allocated as  
31 necessary to best fulfill the needs of the correctional  
32 institutions, administration of the department, and the  
33 judicial district departments of correctional services.  
34 However, in addition to complying with the requirements  
35 of sections 904.116 and 905.8 and providing notice  
36 to the legislative services agency, the department  
37 of corrections shall also provide notice to the  
38 department of management, prior to the effective date  
39 of the revision or reallocation of an appropriation  
40 made pursuant to this section. The department of  
41 corrections shall not reallocate an appropriation or  
42 allocation for the purpose of eliminating any program.

43 Sec. 7. INTENT ---- REPORTS.

44 1. The department of corrections in cooperation  
45 with townships, the Iowa cemetery associations, and  
46 other nonprofit or governmental entities may use inmate  
47 labor during the fiscal year beginning July 1, 2013,  
48 to restore or preserve rural cemeteries and historical  
49 landmarks. The department in cooperation with the  
50 counties may also use inmate labor to clean up roads,

1 major water sources, and other water sources around the  
2 state.

3 2. On a quarterly basis the department shall  
4 provide a status report regarding private-sector  
5 employment to the legislative services agency beginning  
6 on July 1, 2013. The report shall include the number  
7 of offenders employed in the private sector, the  
8 combined number of hours worked by the offenders, the  
9 total amount of allowances, and the distribution of  
10 allowances pursuant to section 904.702, including any  
11 moneys deposited in the general fund of the state.

12 Sec. 8. ELECTRONIC MONITORING REPORT. The  
13 department of corrections shall submit a report on  
14 electronic monitoring to the general assembly, to the  
15 co-chairpersons and the ranking members of the joint  
16 appropriations subcommittee on the justice system, and  
17 to the legislative services agency by January 15, 2014.  
18 The report shall specifically address the number of  
19 persons being electronically monitored and break down  
20 the number of persons being electronically monitored  
21 by offense committed. The report shall also include a  
22 comparison of any data from the prior fiscal year with  
23 the current year.

24 Sec. 9. STATE AGENCY PURCHASES FROM PRISON  
25 INDUSTRIES.

26 1. As used in this section, unless the context  
27 otherwise requires, "state agency" means the government  
28 of the state of Iowa, including but not limited to  
29 all executive branch departments, agencies, boards,  
30 bureaus, and commissions, the judicial branch,  
31 the general assembly and all legislative agencies,  
32 institutions within the purview of the state board of  
33 regents, and any corporation whose primary function is  
34 to act as an instrumentality of the state.

35 2. State agencies are hereby encouraged to purchase  
36 products from Iowa state industries, as defined in  
37 section 904.802, when purchases are required and the  
38 products are available from Iowa state industries.  
39 State agencies shall obtain bids from Iowa state  
40 industries for purchases of office furniture during the  
41 fiscal year beginning July 1, 2013, exceeding \$5,000  
42 or in accordance with applicable administrative rules  
43 related to purchases for the agency.

44 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

45 1. There is appropriated from the general fund of  
46 the state to the Iowa law enforcement academy for the  
47 fiscal year beginning July 1, 2013, and ending June 30,  
48 2014, the following amount, or so much thereof as is  
49 necessary, to be used for the purposes designated:

50 For salaries, support, maintenance, miscellaneous

1 purposes, including jailer training and technical  
2 assistance, and for not more than the following  
3 full-time equivalent positions:

4 .....	\$	1,001,698
5 .....	FTEs	23.88

6 It is the intent of the general assembly that the  
7 Iowa law enforcement academy may provide training of  
8 state and local law enforcement personnel concerning  
9 the recognition of and response to persons with  
10 Alzheimer's disease.

11 The Iowa law enforcement academy may temporarily  
12 exceed and draw more than the amount appropriated in  
13 this subsection and incur a negative cash balance as  
14 long as there are receivables equal to or greater than  
15 the negative balance and the amount appropriated in  
16 this subsection is not exceeded at the close of the  
17 fiscal year.

18 2. The Iowa law enforcement academy may select  
19 at least five automobiles of the department of public  
20 safety, division of state patrol, prior to turning over  
21 the automobiles to the department of administrative  
22 services to be disposed of by public auction, and  
23 the Iowa law enforcement academy may exchange any  
24 automobile owned by the academy for each automobile  
25 selected if the selected automobile is used in training  
26 law enforcement officers at the academy. However,  
27 any automobile exchanged by the academy shall be  
28 substituted for the selected vehicle of the department  
29 of public safety and sold by public auction with the  
30 receipts being deposited in the depreciation fund to  
31 the credit of the department of public safety, division  
32 of state patrol.

33 Sec. 11. STATE PUBLIC DEFENDER. There is  
34 appropriated from the general fund of the state to the  
35 office of the state public defender of the department  
36 of inspections and appeals for the fiscal year  
37 beginning July 1, 2013, and ending June 30, 2014, the  
38 following amounts, or so much thereof as is necessary,  
39 to be allocated as follows for the purposes designated:

40 1. For salaries, support, maintenance,		
41 miscellaneous purposes, and for not more than the		
42 following full-time equivalent positions:		
43 .....	\$	25,862,182
44 .....	FTEs	219.00

45 2. For payments on behalf of eligible adults and  
46 juveniles from the indigent defense fund, in accordance  
47 with section 815.11:

48 .....	\$	29,901,929
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49 Sec. 12. BOARD OF PAROLE. There is appropriated  
50 from the general fund of the state to the board of

1 parole for the fiscal year beginning July 1, 2013, and  
2 ending June 30, 2014, the following amount, or so much  
3 thereof as is necessary, to be used for the purposes  
4 designated:

5 For salaries, support, maintenance, miscellaneous  
6 purposes, and for not more than the following full-time  
7 equivalent positions:

8 .....	\$	1,203,835
9 .....	FTEs	11.00

10 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
11 appropriated from the general fund of the state to  
12 the department of public defense for the fiscal year  
13 beginning July 1, 2013, and ending June 30, 2014, the  
14 following amounts, or so much thereof as is necessary,  
15 to be used for the purposes designated:

16 1. MILITARY DIVISION

17 For salaries, support, maintenance, miscellaneous  
18 purposes, and for not more than the following full-time  
19 equivalent positions:

20 .....	\$	6,527,042
21 .....	FTEs	293.61

22 The military division may temporarily exceed  
23 and draw more than the amount appropriated in this  
24 subsection and incur a negative cash balance as long  
25 as there are receivables of federal funds equal to  
26 or greater than the negative balance and the amount  
27 appropriated in this subsection is not exceeded at the  
28 close of the fiscal year.

29 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
30 DIVISION OR SUCCESSOR AGENCY

31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-time  
33 equivalent positions:

34 .....	\$	2,174,277
35 .....	FTEs	37.40

36 a. The homeland security and emergency management  
37 division or successor agency may temporarily exceed  
38 and draw more than the amount appropriated in this  
39 subsection and incur a negative cash balance as long  
40 as there are receivables of federal funds equal to  
41 or greater than the negative balance and the amount  
42 appropriated in this subsection is not exceeded at the  
43 close of the fiscal year.

44 b. It is the intent of the general assembly that  
45 the homeland security and emergency management division  
46 or successor agency work in conjunction with the  
47 department of public safety, to the extent possible,  
48 when gathering and analyzing information related to  
49 potential domestic or foreign security threats, and  
50 when monitoring such threats.

1 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is  
2 appropriated from the general fund of the state to  
3 the department of public safety for the fiscal year  
4 beginning July 1, 2013, and ending June 30, 2014, the  
5 following amounts, or so much thereof as is necessary,  
6 to be used for the purposes designated:

7 1. For the department's administrative functions,  
8 including the criminal justice information system, and  
9 for not more than the following full-time equivalent  
10 positions:

11 ..... \$ 4,067,054  
12 ..... FTEs 41.00

13 2. For the division of criminal investigation,  
14 including the state's contribution to the peace  
15 officers' retirement, accident, and disability system  
16 provided in chapter 97A in the amount of the state's  
17 normal contribution rate, as defined in section  
18 97A.8, multiplied by the salaries for which the  
19 moneys are appropriated, to meet federal fund matching  
20 requirements, and for not more than the following  
21 full-time equivalent positions:

22 ..... \$ 12,933,414  
23 ..... FTEs 149.60

24 3. For the criminalistics laboratory fund created  
25 in section 691.9:

26 ..... \$ 302,345

27 4. a. For the division of narcotics enforcement,  
28 including the state's contribution to the peace  
29 officers' retirement, accident, and disability system  
30 provided in chapter 97A in the amount of the state's  
31 normal contribution rate, as defined in section  
32 97A.8, multiplied by the salaries for which the  
33 moneys are appropriated, to meet federal fund matching  
34 requirements, and for not more than the following  
35 full-time equivalent positions:

36 ..... \$ 6,755,855  
37 ..... FTEs 66.00

38 b. For the division of narcotics enforcement for  
39 undercover purchases:

40 ..... \$ 109,042

41 5. For the division of state fire marshal, for fire  
42 protection services as provided through the state fire  
43 service and emergency response council as created in  
44 the department, and for the state's contribution to the  
45 peace officers' retirement, accident, and disability  
46 system provided in chapter 97A in the amount of the  
47 state's normal contribution rate, as defined in section  
48 97A.8, multiplied by the salaries for which the moneys  
49 are appropriated, and for not more than the following  
50 full-time equivalent positions:

1 ..... \$ 4,470,556  
2 ..... FTEs 54.00

3 6. For the division of state patrol, for salaries,  
4 support, maintenance, workers' compensation costs,  
5 and miscellaneous purposes, including the state's  
6 contribution to the peace officers' retirement,  
7 accident, and disability system provided in chapter 97A  
8 in the amount of the state's normal contribution rate,  
9 as defined in section 97A.8, multiplied by the salaries  
10 for which the moneys are appropriated, and for not more  
11 than the following full-time equivalent positions:

12 ..... \$ 55,536,208  
13 ..... FTEs 499.00

14 It is the intent of the general assembly that  
15 members of the state patrol be assigned to patrol  
16 the highways and roads in lieu of assignments for  
17 inspecting school buses for the school districts.

18 7. For deposit in the sick leave benefits fund  
19 established under section 80.42 for all departmental  
20 employees eligible to receive benefits for accrued sick  
21 leave under the collective bargaining agreement:

22 ..... \$ 279,517

23 8. For costs associated with the training and  
24 equipment needs of volunteer fire fighters:

25 ..... \$ 725,520

26 a. Notwithstanding section 8.33, moneys  
27 appropriated in this subsection that remain  
28 unencumbered or unobligated at the close of the fiscal  
29 year shall not revert but shall remain available for  
30 expenditure only for the purpose designated in this  
31 subsection until the close of the succeeding fiscal  
32 year.

33 b. Notwithstanding section 8.39, the department  
34 of public safety may reallocate moneys appropriated  
35 in this section as necessary to best fulfill the  
36 needs provided for in the appropriation. However, the  
37 department shall not reallocate moneys appropriated  
38 to the department in this section unless notice of  
39 the reallocation is given to the legislative services  
40 agency and the department of management prior to  
41 the effective date of the reallocation. The notice  
42 shall include information regarding the rationale for  
43 reallocating the moneys. The department shall not  
44 reallocate moneys appropriated in this section for the  
45 purpose of eliminating any program.

46 Sec. 15. GAMING ENFORCEMENT.

47 1. There is appropriated from the gaming  
48 enforcement revolving fund created in section 80.43 to  
49 the department of public safety for the fiscal year  
50 beginning July 1, 2013, and ending June 30, 2014, the

1 following amount, or so much thereof as is necessary,  
2 to be used for the purposes designated:

3 For any direct support costs for agents and officers  
4 of the division of criminal investigation's excursion  
5 gambling boat, gambling structure, and racetrack  
6 enclosure enforcement activities, including salaries,  
7 support, maintenance, miscellaneous purposes, and  
8 for not more than the following full-time equivalent  
9 positions:

10 .....	\$ 10,898,008
11 .....	FTEs 115.00

12 2. For each additional license to conduct gambling  
13 games on an excursion gambling boat, gambling  
14 structure, or racetrack enclosure issued during  
15 the fiscal year beginning July 1, 2013, there is  
16 appropriated from the gaming enforcement fund to  
17 the department of public safety for the fiscal year  
18 beginning July 1, 2013, and ending June 30, 2014, an  
19 additional amount of not more than \$300,000 to be used  
20 for not more than 3.00 additional full-time equivalent  
21 positions.

22 3. The department of public safety, with the  
23 approval of the department of management, may employ  
24 no more than three special agents for each additional  
25 riverboat or gambling structure regulated after July 1,  
26 2013, and three special agents for each racing facility  
27 which becomes operational during the fiscal year which  
28 begins July 1, 2013. Positions authorized in this  
29 subsection are in addition to the full-time equivalent  
30 positions otherwise authorized in this section.

31 Sec. 16. CIVIL RIGHTS COMMISSION. There is  
32 appropriated from the general fund of the state to the  
33 Iowa state civil rights commission for the fiscal year  
34 beginning July 1, 2013, and ending June 30, 2014, the  
35 following amount, or so much thereof as is necessary,  
36 to be used for the purposes designated:

37 For salaries, support, maintenance, miscellaneous  
38 purposes, and for not more than the following full-time  
39 equivalent positions:

40 .....	\$ 1,297,069
41 .....	FTEs 28.00

42 The Iowa state civil rights commission may enter  
43 into a contract with a nonprofit organization to  
44 provide legal assistance to resolve civil rights  
45 complaints.

46 Sec. 17. CRIMINAL AND JUVENILE JUSTICE PLANNING  
47 DIVISION. There is appropriated from the general fund  
48 of the state to the criminal and juvenile justice  
49 planning division of the department of human rights for  
50 the fiscal year beginning July 1, 2013, and ending June

1 30, 2014, the following amounts, or so much thereof as  
2 is necessary, to be used for the purposes designated:

3 For salaries, support, maintenance, and  
4 miscellaneous purposes, and for not more than the  
5 following full-time equivalent positions:

6 ..... \$ 1,100,105  
7 ..... FTEs 9.81

8 The criminal and juvenile justice planning advisory  
9 council and the juvenile justice advisory council  
10 shall coordinate their efforts in carrying out their  
11 respective duties relative to juvenile justice.

12 Sec. 18. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
13 DIVISION OR SUCCESSOR AGENCY. There is appropriated  
14 from the E911 emergency communications fund created in  
15 section 34A.7A to the homeland security and emergency  
16 management division of the department of public defense  
17 or successor agency for the fiscal year beginning  
18 July 1, 2013, and ending June 30, 2014, an amount not  
19 exceeding \$250,000 to be used for implementation,  
20 support, and maintenance of the functions of the  
21 administrator and program manager under chapter 34A and  
22 to employ the auditor of the state to perform an annual  
23 audit of the wireless E911 emergency communications  
24 fund.

25 DIVISION II  
26 FY 2014-2015  
27 APPROPRIATIONS

28 Sec. 19. DEPARTMENT OF JUSTICE.

29 1. There is appropriated from the general fund  
30 of the state to the department of justice for the  
31 fiscal year beginning July 1, 2014, and ending June 30,  
32 2015, the following amounts, or so much thereof as is  
33 necessary, to be used for the purposes designated:

34 a. For the general office of attorney general for  
35 salaries, support, maintenance, and miscellaneous  
36 purposes, including the prosecuting attorneys training  
37 program, matching funds for federal violence against  
38 women grant programs, victim assistance grants, office  
39 of drug control policy prosecuting attorney program,  
40 and odometer fraud enforcement, and for not more than  
41 the following full-time equivalent positions:

42 ..... \$ 6,138,162  
43 ..... FTEs 214.00

44 It is the intent of the general assembly that as  
45 a condition of receiving the appropriation provided  
46 in this lettered paragraph, the department of justice  
47 shall maintain a record of the estimated time incurred  
48 representing each agency or department.

49 b. For victim assistance grants:

50 ..... \$ 2,444,940

1 The funds appropriated in this lettered paragraph  
2 shall be used to provide grants to care providers  
3 providing services to crime victims of domestic abuse  
4 or to crime victims of rape and sexual assault.

5 The balance of the victim compensation fund  
6 established in section 915.94 may be used to provide  
7 salary and support of not more than 24 FTEs and  
8 to provide maintenance for the victim compensation  
9 functions of the department of justice.

10 The department of justice shall transfer at least  
11 \$150,000 from the victim compensation fund established  
12 in section 915.94 to the victim assistance grant  
13 program.

14 c. For legal services for persons in poverty grants  
15 as provided in section 13.34:

16 ..... \$ 1,791,304

17 2. a. The department of justice, in submitting  
18 budget estimates for the fiscal year commencing July  
19 1, 2015, pursuant to section 8.23, shall include a  
20 report of funding from sources other than amounts  
21 appropriated directly from the general fund of the  
22 state to the department of justice or to the office of  
23 consumer advocate. These funding sources shall include  
24 but are not limited to reimbursements from other state  
25 agencies, commissions, boards, or similar entities, and  
26 reimbursements from special funds or internal accounts  
27 within the department of justice. The department of  
28 justice shall also report actual reimbursements for the  
29 fiscal year commencing July 1, 2013, and actual and  
30 expected reimbursements for the fiscal year commencing  
31 July 1, 2014.

32 b. The department of justice shall include the  
33 report required under paragraph "a", as well as  
34 information regarding any revisions occurring as a  
35 result of reimbursements actually received or expected  
36 at a later date, in a report to the co-chairpersons  
37 and ranking members of the joint appropriations  
38 subcommittee on the justice system and the legislative  
39 services agency. The department of justice shall  
40 submit the report on or before January 15, 2015.

41 Sec. 20. OFFICE OF CONSUMER ADVOCATE. There is  
42 appropriated from the department of commerce revolving  
43 fund created in section 546.12 to the office of  
44 consumer advocate of the department of justice for the  
45 fiscal year beginning July 1, 2014, and ending June 30,  
46 2015, the following amount, or so much thereof as is  
47 necessary, to be used for the purposes designated:

48 For salaries, support, maintenance, miscellaneous  
49 purposes, and for not more than the following full-time  
50 equivalent positions:

1 ..... \$ 2,665,739  
2 ..... FTEs 22.00  
3 Sec. 21. DEPARTMENT OF CORRECTIONS ---- FACILITIES.  
4 1. There is appropriated from the general fund of  
5 the state to the department of corrections for the  
6 fiscal year beginning July 1, 2014, and ending June  
7 30, 2015, the following amounts, or so much thereof as  
8 is necessary, to be used for the operation of adult  
9 correctional institutions, reimbursement of counties  
10 for certain confinement costs, and federal prison  
11 reimbursement, to be allocated as follows:  
12 a. For the operation of the Fort Madison  
13 correctional facility, including salaries, support,  
14 maintenance, and miscellaneous purposes:  
15 ..... \$ 36,641,063  
16 The department of corrections shall submit, to  
17 the co-chairpersons and ranking members of the joint  
18 appropriations subcommittee on the justice system by  
19 January 15, 2015, the plans for the integration of the  
20 John Bennett facility and the clinical care unit into  
21 the new Fort Madison maximum security correctional  
22 facility and the future plans for the use of the  
23 current Fort Madison maximum security correctional  
24 facility after the inmates are transferred to the new  
25 facility.  
26 b. For the operation of the Anamosa correctional  
27 facility, including salaries, support, maintenance, and  
28 miscellaneous purposes:  
29 ..... \$ 26,585,860  
30 c. For the operation of the Oakdale correctional  
31 facility, including salaries, support, maintenance, and  
32 miscellaneous purposes:  
33 ..... \$ 49,767,605  
34 d. For the operation of the Newton correctional  
35 facility, including salaries, support, maintenance, and  
36 miscellaneous purposes:  
37 ..... \$ 23,058,197  
38 e. For the operation of the Mt. Pleasant  
39 correctional facility, including salaries, support,  
40 maintenance, and miscellaneous purposes:  
41 ..... \$ 21,089,713  
42 f. For the operation of the Rockwell City  
43 correctional facility, including salaries, support,  
44 maintenance, and miscellaneous purposes:  
45 ..... \$ 8,220,476  
46 g. For the operation of the Clarinda correctional  
47 facility, including salaries, support, maintenance, and  
48 miscellaneous purposes:  
49 ..... \$ 21,455,374  
50 Moneys received by the department of corrections as

1 reimbursement for services provided to the Clarinda  
2 youth corporation are appropriated to the department  
3 and shall be used for the purpose of operating the  
4 Clarinda correctional facility.

5 h. For the operation of the Mitchellville  
6 correctional facility, including salaries, support,  
7 maintenance, and miscellaneous purposes:

8 ..... \$ 18,363,430

9 i. For the operation of the Fort Dodge correctional  
10 facility, including salaries, support, maintenance, and  
11 miscellaneous purposes:

12 ..... \$ 25,385,447

13 j. For reimbursement of counties for temporary  
14 confinement of work release and parole violators, as  
15 provided in sections 901.7, 904.908, and 906.17, and  
16 for offenders confined pursuant to section 904.513:

17 ..... \$ 913,828

18 k. For federal prison reimbursement, reimbursements  
19 for out-of-state placements, and miscellaneous  
20 contracts:

21 ..... \$ 411,749

22 2. The department of corrections shall use moneys  
23 appropriated in subsection 1 to continue to contract  
24 for the services of a Muslim imam and a Native American  
25 spiritual leader.

26 Sec. 22. DEPARTMENT OF CORRECTIONS ----  
27 ADMINISTRATION. There is appropriated from the general  
28 fund of the state to the department of corrections for  
29 the fiscal year beginning July 1, 2014, and ending June  
30 30, 2015, the following amounts, or so much thereof as  
31 is necessary, to be used for the purposes designated:

32 1. For general administration, including salaries,  
33 support, maintenance, employment of an education  
34 director to administer a centralized education  
35 program for the correctional system, and miscellaneous  
36 purposes:

37 ..... \$ 4,319,345

38 a. It is the intent of the general assembly  
39 that each lease negotiated by the department of  
40 corrections with a private corporation for the purpose  
41 of providing private industry employment of inmates in  
42 a correctional institution shall prohibit the private  
43 corporation from utilizing inmate labor for partisan  
44 political purposes for any person seeking election to  
45 public office in this state and that a violation of  
46 this requirement shall result in a termination of the  
47 lease agreement.

48 b. It is the intent of the general assembly that as  
49 a condition of receiving the appropriation provided in  
50 this subsection the department of corrections shall not

1 enter into a lease or contractual agreement pursuant to  
 2 section 904.809 with a private corporation for the use  
 3 of building space for the purpose of providing inmate  
 4 employment without providing that the terms of the  
 5 lease or contract establish safeguards to restrict, to  
 6 the greatest extent feasible, access by inmates working  
 7 for the private corporation to personal identifying  
 8 information of citizens.

9 2. For educational programs for inmates at state  
 10 penal institutions:

11 ..... \$ 2,004,393

12 a. To maximize the funding for educational  
 13 programs, the department shall establish guidelines  
 14 and procedures to prioritize the availability of  
 15 educational and vocational training for inmates based  
 16 upon the goal of facilitating an inmate's successful  
 17 release from the correctional institution.

18 b. The director of the department of corrections  
 19 may transfer moneys from Iowa prison industries and the  
 20 canteen operating funds established pursuant to section  
 21 904.310, for use in educational programs for inmates.

22 c. Notwithstanding section 8.33, moneys  
 23 appropriated in this subsection that remain unobligated  
 24 or unexpended at the close of the fiscal year shall not  
 25 revert but shall remain available to be used only for  
 26 the purposes designated in this subsection until the  
 27 close of the succeeding fiscal year.

28 3. For the development of the Iowa corrections  
 29 offender network (ICON) data system:

30 ..... \$ 1,700,000

31 4. For offender mental health and substance abuse  
 32 treatment:

33 ..... \$ 18,971

34 5. For viral hepatitis prevention and treatment:

35 ..... \$ 142,699

36 Sec. 23. JUDICIAL DISTRICT DEPARTMENTS OF  
 37 CORRECTIONAL SERVICES.

38 1. There is appropriated from the general fund of  
 39 the state to the department of corrections for the  
 40 fiscal year beginning July 1, 2014, and ending June  
 41 30, 2015, for salaries, support, maintenance, and  
 42 miscellaneous purposes, the following amounts, or  
 43 so much thereof as is necessary, to be allocated as  
 44 follows:

45 a. For the first judicial district department of  
 46 correctional services:

47 ..... \$ 11,599,246

48 b. For the second judicial district department of  
 49 correctional services:

50 ..... \$ 9,239,861

1 c. For the third judicial district department of  
2 correctional services:  
3 ..... \$ 5,852,650  
4 d. For the fourth judicial district department of  
5 correctional services:  
6 ..... \$ 4,671,013  
7 e. For the fifth judicial district department of  
8 correctional services, including funding for electronic  
9 monitoring devices for use on a statewide basis:  
10 ..... \$ 16,469,114  
11 f. For the sixth judicial district department of  
12 correctional services:  
13 ..... \$ 11,981,097  
14 g. For the seventh judicial district department of  
15 correctional services:  
16 ..... \$ 6,258,987  
17 h. For the eighth judicial district department of  
18 correctional services:  
19 ..... \$ 6,688,919

20 2. Each judicial district department of  
21 correctional services, within the funding available,  
22 shall continue programs and plans established within  
23 that district to provide for intensive supervision, sex  
24 offender treatment, diversion of low-risk offenders  
25 to the least restrictive sanction available, job  
26 development, and expanded use of intermediate criminal  
27 sanctions.

28 3. Each judicial district department of  
29 correctional services shall provide alternatives to  
30 prison consistent with chapter 901B. The alternatives  
31 to prison shall ensure public safety while providing  
32 maximum rehabilitation to the offender. A judicial  
33 district department of correctional services may also  
34 establish a day program.

35 4. The governor's office of drug control policy  
36 shall consider federal grants made to the department  
37 of corrections for the benefit of each of the eight  
38 judicial district departments of correctional services  
39 as local government grants, as defined pursuant to  
40 federal regulations.

41 5. The department of corrections shall continue  
42 to contract with a judicial district department  
43 of correctional services to provide for the rental  
44 of electronic monitoring equipment which shall be  
45 available statewide.

46 Sec. 24. DEPARTMENT OF CORRECTIONS ---- REALLOCATION  
47 OF APPROPRIATIONS. Notwithstanding section 8.39,  
48 within the moneys appropriated in this division of this  
49 Act to the department of corrections, the department  
50 may reallocate the moneys appropriated and allocated as

1 necessary to best fulfill the needs of the correctional  
2 institutions, administration of the department, and the  
3 judicial district departments of correctional services.  
4 However, in addition to complying with the requirements  
5 of sections 904.116 and 905.8 and providing notice  
6 to the legislative services agency, the department  
7 of corrections shall also provide notice to the  
8 department of management, prior to the effective date  
9 of the revision or reallocation of an appropriation  
10 made pursuant to this section. The department of  
11 corrections shall not reallocate an appropriation or  
12 allocation for the purpose of eliminating any program.

13 Sec. 25. INTENT ---- REPORTS.

14 1. The department of corrections in cooperation  
15 with townships, the Iowa cemetery associations, and  
16 other nonprofit or governmental entities may use inmate  
17 labor during the fiscal year beginning July 1, 2014,  
18 to restore or preserve rural cemeteries and historical  
19 landmarks. The department in cooperation with the  
20 counties may also use inmate labor to clean up roads,  
21 major water sources, and other water sources around the  
22 state.

23 2. On a quarterly basis the department shall  
24 provide a status report regarding private-sector  
25 employment to the legislative services agency beginning  
26 on July 1, 2014. The report shall include the number  
27 of offenders employed in the private sector, the  
28 combined number of hours worked by the offenders, the  
29 total amount of allowances, and the distribution of  
30 allowances pursuant to section 904.702, including any  
31 moneys deposited in the general fund of the state.

32 Sec. 26. ELECTRONIC MONITORING REPORT. The  
33 department of corrections shall submit a report on  
34 electronic monitoring to the general assembly, to the  
35 co-chairpersons and the ranking members of the joint  
36 appropriations subcommittee on the justice system, and  
37 to the legislative services agency by January 15, 2015.  
38 The report shall specifically address the number of  
39 persons being electronically monitored and break down  
40 the number of persons being electronically monitored  
41 by offense committed. The report shall also include a  
42 comparison of any data from the prior fiscal year with  
43 the current year.

44 Sec. 27. STATE AGENCY PURCHASES FROM PRISON  
45 INDUSTRIES.

46 1. As used in this section, unless the context  
47 otherwise requires, "state agency" means the government  
48 of the state of Iowa, including but not limited to  
49 all executive branch departments, agencies, boards,  
50 bureaus, and commissions, the judicial branch,

1 the general assembly and all legislative agencies,  
2 institutions within the purview of the state board of  
3 regents, and any corporation whose primary function is  
4 to act as an instrumentality of the state.

5 2. State agencies are hereby encouraged to purchase  
6 products from Iowa state industries, as defined in  
7 section 904.802, when purchases are required and the  
8 products are available from Iowa state industries.

9 State agencies shall obtain bids from Iowa state  
10 industries for purchases of office furniture during the  
11 fiscal year beginning July 1, 2014, exceeding \$5,000  
12 or in accordance with applicable administrative rules  
13 related to purchases for the agency.

14 Sec. 28. IOWA LAW ENFORCEMENT ACADEMY.

15 1. There is appropriated from the general fund of  
16 the state to the Iowa law enforcement academy for the  
17 fiscal year beginning July 1, 2014, and ending June 30,  
18 2015, the following amount, or so much thereof as is  
19 necessary, to be used for the purposes designated:

20 For salaries, support, maintenance, miscellaneous  
21 purposes, including jailer training and technical  
22 assistance, and for not more than the following  
23 full-time equivalent positions:

24 .....	\$	851,443
25 .....	FTEs	23.88

26 It is the intent of the general assembly that the  
27 Iowa law enforcement academy may provide training of  
28 state and local law enforcement personnel concerning  
29 the recognition of and response to persons with  
30 Alzheimer's disease.

31 The Iowa law enforcement academy may temporarily  
32 exceed and draw more than the amount appropriated in  
33 this subsection and incur a negative cash balance as  
34 long as there are receivables equal to or greater than  
35 the negative balance and the amount appropriated in  
36 this subsection is not exceeded at the close of the  
37 fiscal year.

38 2. The Iowa law enforcement academy may select  
39 at least five automobiles of the department of public  
40 safety, division of state patrol, prior to turning over  
41 the automobiles to the department of administrative  
42 services to be disposed of by public auction, and  
43 the Iowa law enforcement academy may exchange any  
44 automobile owned by the academy for each automobile  
45 selected if the selected automobile is used in training  
46 law enforcement officers at the academy. However,  
47 any automobile exchanged by the academy shall be  
48 substituted for the selected vehicle of the department  
49 of public safety and sold by public auction with the  
50 receipts being deposited in the depreciation fund to

1 the credit of the department of public safety, division  
2 of state patrol.

3 Sec. 29. STATE PUBLIC DEFENDER. There is  
4 appropriated from the general fund of the state to the  
5 office of the state public defender of the department  
6 of inspections and appeals for the fiscal year  
7 beginning July 1, 2014, and ending June 30, 2015, the  
8 following amounts, or so much thereof as is necessary,  
9 to be allocated as follows for the purposes designated:

10 1. For salaries, support, maintenance,  
11 miscellaneous purposes, and for not more than the  
12 following full-time equivalent positions:  
13 ..... \$ 21,982,855  
14 ..... FTES 219.00

15 2. For payments on behalf of eligible adults and  
16 juveniles from the indigent defense fund, in accordance  
17 with section 815.11:  
18 ..... \$ 25,416,640

19 Sec. 30. BOARD OF PAROLE. There is appropriated  
20 from the general fund of the state to the board of  
21 parole for the fiscal year beginning July 1, 2014, and  
22 ending June 30, 2015, the following amount, or so much  
23 thereof as is necessary, to be used for the purposes  
24 designated:

25 For salaries, support, maintenance, miscellaneous  
26 purposes, and for not more than the following full-time  
27 equivalent positions:  
28 ..... \$ 1,023,260  
29 ..... FTES 11.00

30 Sec. 31. DEPARTMENT OF PUBLIC DEFENSE. There is  
31 appropriated from the general fund of the state to  
32 the department of public defense for the fiscal year  
33 beginning July 1, 2014, and ending June 30, 2015, the  
34 following amounts, or so much thereof as is necessary,  
35 to be used for the purposes designated:

36 1. MILITARY DIVISION  
37 For salaries, support, maintenance, miscellaneous  
38 purposes, and for not more than the following full-time  
39 equivalent positions:  
40 ..... \$ 5,547,986  
41 ..... FTES 308.21

42 The military division may temporarily exceed  
43 and draw more than the amount appropriated in this  
44 subsection and incur a negative cash balance as long  
45 as there are receivables of federal funds equal to  
46 or greater than the negative balance and the amount  
47 appropriated in this subsection is not exceeded at the  
48 close of the fiscal year.

49 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
50 DIVISION OR SUCCESSOR AGENCY

1 For salaries, support, maintenance, miscellaneous  
 2 purposes, and for not more than the following full-time  
 3 equivalent positions:

4 ..... \$ 1,848,135  
 5 ..... FTEs 37.40

6 a. The homeland security and emergency management  
 7 division or successor agency may temporarily exceed  
 8 and draw more than the amount appropriated in this  
 9 subsection and incur a negative cash balance as long  
 10 as there are receivables of federal funds equal to  
 11 or greater than the negative balance and the amount  
 12 appropriated in this subsection is not exceeded at the  
 13 close of the fiscal year.

14 b. It is the intent of the general assembly that  
 15 the homeland security and emergency management division  
 16 or successor agency work in conjunction with the  
 17 department of public safety, to the extent possible,  
 18 when gathering and analyzing information related to  
 19 potential domestic or foreign security threats, and  
 20 when monitoring such threats.

21 Sec. 32. DEPARTMENT OF PUBLIC SAFETY. There is  
 22 appropriated from the general fund of the state to  
 23 the department of public safety for the fiscal year  
 24 beginning July 1, 2014, and ending June 30, 2015, the  
 25 following amounts, or so much thereof as is necessary,  
 26 to be used for the purposes designated:

27 1. For the department's administrative functions,  
 28 including the criminal justice information system, and  
 29 for not more than the following full-time equivalent  
 30 positions:

31 ..... \$ 3,456,996  
 32 ..... FTEs 41.00

33 2. For the division of criminal investigation,  
 34 including the state's contribution to the peace  
 35 officers' retirement, accident, and disability system  
 36 provided in chapter 97A in the amount of the state's  
 37 normal contribution rate, as defined in section  
 38 97A.8, multiplied by the salaries for which the  
 39 moneys are appropriated, to meet federal fund matching  
 40 requirements, and for not more than the following  
 41 full-time equivalent positions:

42 ..... \$ 10,993,402  
 43 ..... FTEs 149.60

44 3. For the criminalistics laboratory fund created  
 45 in section 691.9:

46 ..... \$ 256,993

47 4. a. For the division of narcotics enforcement,  
 48 including the state's contribution to the peace  
 49 officers' retirement, accident, and disability system  
 50 provided in chapter 97A in the amount of the state's

1 normal contribution rate, as defined in section  
2 97A.8, multiplied by the salaries for which the  
3 moneys are appropriated, to meet federal fund matching  
4 requirements, and for not more than the following  
5 full-time equivalent positions:

6 .....	\$	5,742,477
7 .....	FTEs	66.00

8 b. For the division of narcotics enforcement for  
9 undercover purchases:

10 .....	\$	92,686
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11 5. For the division of state fire marshal, for fire  
12 protection services as provided through the state fire  
13 service and emergency response council as created in  
14 the department, and for the state's contribution to the  
15 peace officers' retirement, accident, and disability  
16 system provided in chapter 97A in the amount of the  
17 state's normal contribution rate, as defined in section  
18 97A.8, multiplied by the salaries for which the moneys  
19 are appropriated, and for not more than the following  
20 full-time equivalent positions:

21 .....	\$	3,799,973
22 .....	FTEs	54.00

23 6. For the division of state patrol, for salaries,  
24 support, maintenance, workers' compensation costs,  
25 and miscellaneous purposes, including the state's  
26 contribution to the peace officers' retirement,  
27 accident, and disability system provided in chapter 97A  
28 in the amount of the state's normal contribution rate,  
29 as defined in section 97A.8, multiplied by the salaries  
30 for which the moneys are appropriated, and for not more  
31 than the following full-time equivalent positions:

32 .....	\$	47,205,777
33 .....	FTEs	499.00

34 It is the intent of the general assembly that  
35 members of the state patrol be assigned to patrol  
36 the highways and roads in lieu of assignments for  
37 inspecting school buses for the school districts.

38 7. For deposit in the sick leave benefits fund  
39 established under section 80.42 for all departmental  
40 employees eligible to receive benefits for accrued sick  
41 leave under the collective bargaining agreement:

42 .....	\$	237,589
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43 8. For costs associated with the training and  
44 equipment needs of volunteer fire fighters:

45 .....	\$	616,692
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46 a. Notwithstanding section 8.33, moneys  
47 appropriated in this subsection that remain  
48 unencumbered or unobligated at the close of the fiscal  
49 year shall not revert but shall remain available for  
50 expenditure only for the purpose designated in this

1 subsection until the close of the succeeding fiscal  
2 year.

3     b. Notwithstanding section 8.39, the department  
4 of public safety may reallocate moneys appropriated  
5 in this section as necessary to best fulfill the  
6 needs provided for in the appropriation. However, the  
7 department shall not reallocate moneys appropriated  
8 to the department in this section unless notice of  
9 the reallocation is given to the legislative services  
10 agency and the department of management prior to  
11 the effective date of the reallocation. The notice  
12 shall include information regarding the rationale for  
13 reallocating the moneys. The department shall not  
14 reallocate moneys appropriated in this section for the  
15 purpose of eliminating any program.

16     Sec. 33. GAMING ENFORCEMENT.

17     1. There is appropriated from the gaming  
18 enforcement revolving fund created in section 80.43 to  
19 the department of public safety for the fiscal year  
20 beginning July 1, 2014, and ending June 30, 2015, the  
21 following amount, or so much thereof as is necessary,  
22 to be used for the purposes designated:

23     For any direct support costs for agents and officers  
24 of the division of criminal investigation's excursion  
25 gambling boat, gambling structure, and racetrack  
26 enclosure enforcement activities, including salaries,  
27 support, maintenance, miscellaneous purposes, and  
28 for not more than the following full-time equivalent  
29 positions:

30 .....	\$	9,263,307
31 .....	FTEs	115.00

32     2. For each additional license to conduct gambling  
33 games on an excursion gambling boat, gambling  
34 structure, or racetrack enclosure issued during  
35 the fiscal year beginning July 1, 2014, there is  
36 appropriated from the gaming enforcement fund to  
37 the department of public safety for the fiscal year  
38 beginning July 1, 2014, and ending June 30, 2015, an  
39 additional amount of not more than \$300,000 to be used  
40 for not more than 3.00 additional full-time equivalent  
41 positions.

42     3. The department of public safety, with the  
43 approval of the department of management, may employ  
44 no more than three special agents for each additional  
45 riverboat or gambling structure regulated after July 1,  
46 2014, and three special agents for each racing facility  
47 which becomes operational during the fiscal year which  
48 begins July 1, 2014. Positions authorized in this  
49 subsection are in addition to the full-time equivalent  
50 positions otherwise authorized in this section.

1 Sec. 34. CIVIL RIGHTS COMMISSION. There is  
 2 appropriated from the general fund of the state to the  
 3 Iowa state civil rights commission for the fiscal year  
 4 beginning July 1, 2014, and ending June 30, 2015, the  
 5 following amount, or so much thereof as is necessary,  
 6 to be used for the purposes designated:

7 For salaries, support, maintenance, miscellaneous  
 8 purposes, and for not more than the following full-time  
 9 equivalent positions:

10 .....	\$	1,102,509
11 .....	FTEs	28.00

12 The Iowa state civil rights commission may enter  
 13 into a contract with a nonprofit organization to  
 14 provide legal assistance to resolve civil rights  
 15 complaints.

16 Sec. 35. CRIMINAL AND JUVENILE JUSTICE PLANNING  
 17 DIVISION. There is appropriated from the general fund  
 18 of the state to the criminal and juvenile justice  
 19 planning division of the department of human rights for  
 20 the fiscal year beginning July 1, 2013, and ending June  
 21 30, 2014, the following amounts, or so much thereof as  
 22 is necessary, to be used for the purposes designated:

23 For salaries, support, maintenance, and  
 24 miscellaneous purposes, and for not more than the  
 25 following full-time equivalent positions:

26 .....	\$	935,089
27 .....	FTEs	9.81

28 The criminal and juvenile justice planning advisory  
 29 council and the juvenile justice advisory council  
 30 shall coordinate their efforts in carrying out their  
 31 respective duties relative to juvenile justice.

32 Sec. 36. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
 33 DIVISION. There is appropriated from the wireless  
 34 E911 emergency communications fund created in  
 35 section 34A.7A to the homeland security and emergency  
 36 management division or successor agency for the fiscal  
 37 year beginning July 1, 2014, and ending June 30,  
 38 2015, an amount not exceeding \$250,000 to be used  
 39 for implementation, support, and maintenance of the  
 40 functions of the administrator and program manager  
 41 under chapter 34A and to employ the auditor of the  
 42 state to perform an annual audit of the wireless E911  
 43 emergency communications fund.

44 DIVISION III  
 45 PUBLIC SAFETY INTEROPERABLE AND BROADBAND  
 46 COMMUNICATIONS FUND

47 Sec. 37. NEW SECTION. 80.44 Public safety  
 48 interoperable and broadband communications fund.

49 1. A statewide public safety interoperable and  
 50 broadband communications fund is established in the

1 office of the treasurer of state under the control of  
 2 the department of public safety. Any moneys annually  
 3 appropriated, granted, or credited to the fund,  
 4 including any federal moneys, are appropriated to  
 5 the department of public safety for the planning and  
 6 development of a statewide public safety interoperable  
 7 and broadband communications system.

8 2. Notwithstanding section 12C.7, subsection 2,  
 9 interest and earnings on moneys deposited in the fund  
 10 shall be credited to the fund. Notwithstanding section  
 11 8.33, moneys remaining in the fund at the end of the  
 12 fiscal year shall not revert to any other fund but  
 13 shall remain available to be used for the purposes  
 14 specified in subsection 1.

15 Sec. 38. 2011 Iowa Acts, chapter 134, section 43,  
 16 subsection 9, as amended by 2012 Iowa Acts, chapter  
 17 1134, section 10, is amended to read as follows:

18 9. For costs associated with the training and  
 19 operation of the statewide interoperable communications  
 20 system board ~~excluding salaries and contracts or~~  
 21 deposit in the statewide public safety interoperable  
 22 and broadband communications fund established in  
 23 section 80.44, as determined by the department:

24 ..... \$ 48,000

25 Sec. 39. EFFECTIVE UPON ENACTMENT. The following  
 26 provision or provisions of this division of this Act,  
 27 being deemed of immediate importance, take effect upon  
 28 enactment:

29 1. The section of this division amending 2011 Iowa  
 30 Acts, chapter 134, section 43, subsection 9, as amended  
 31 by 2012 Iowa Acts, chapter 1134, section 10.

32 2. The section of this division enacting the  
 33 section tentatively numbered 80.44.

#### 34 DIVISION IV

#### 35 PUBLIC SAFETY AND TRAINING TASK FORCE APPROPRIATION

36 Sec. 40. PUBLIC SAFETY TRAINING AND FACILITIES TASK  
 37 FORCE.

38 1. A public safety training and facilities task  
 39 force is established. The department of public safety  
 40 shall provide administrative support for the task  
 41 force.

42 2. The task force shall consist of the following  
 43 members:

44 a. One member appointed by the Iowa state sheriffs'  
 45 and deputies' association.

46 b. One member appointed by the Iowa police chiefs  
 47 association.

48 c. One member who is a fire fighter appointed by  
 49 the Iowa professional fire fighters association.

50 d. One member who is the administrator of the Iowa

1 fire service training bureau or the administrator's  
2 designee.  
3 e. One member who is a representative of the fire  
4 service who is not a fire chief appointed by the Iowa  
5 firefighters association.  
6 f. The director of the Iowa law enforcement academy  
7 or the director's designee.  
8 g. The commissioner of public safety or the  
9 training coordinator of the department of public  
10 safety, as designated by the commissioner.  
11 h. The state fire marshal or the state fire  
12 marshal's designee.  
13 i. One member appointed by the Iowa state police  
14 association.  
15 j. One member who is a fire chief appointed by the  
16 Iowa fire chiefs association.  
17 k. One member appointed by the Iowa emergency  
18 medical services association.  
19 l. One member appointed by the Iowa emergency  
20 management association.  
21 m. One member who is a fire chief appointed by the  
22 Iowa association of professional fire chiefs.  
23 n. One member who is a member of the office  
24 of motor vehicle enforcement of the department of  
25 transportation appointed by the director of the  
26 department of transportation.  
27 o. Four members of the general assembly serving  
28 as ex officio, nonvoting members, one representative  
29 to be appointed by the speaker of the house of  
30 representatives, one representative to be appointed by  
31 the minority leader of the house of representatives,  
32 one senator to be appointed by the majority leader of  
33 the senate, and one senator to be appointed by the  
34 minority leader of the senate.  
35 3. The members of the task force shall select  
36 one chairperson and one vice chairperson. The vice  
37 chairperson shall preside in the absence of the  
38 chairperson. Section 69.16A shall apply to the voting  
39 members of the task force.  
40 4. It is the intent of the general assembly in  
41 establishing this task force that the task force  
42 develop a coordinated plan amongst all public safety  
43 disciplines that would oversee the construction of a  
44 consolidated fire and police public safety training  
45 facility, provide for the establishment of a governance  
46 board for the public safety disciplines and the  
47 consolidated facility, and to establish a consistent  
48 and steady funding mechanism to defray public safety  
49 training costs on an ongoing basis.  
50 5. The task force shall seek and consider input

1 from all interested stakeholders and members of the  
2 public and shall include an emphasis on receiving input  
3 from fire service, law enforcement, and emergency  
4 medical services personnel. The task force shall  
5 consider and develop strategies relating to public  
6 safety training facility governance with the goal of  
7 all public safety disciplines being represented. Each  
8 public safety discipline shall advise the task force by  
9 developing individual training policies as determined  
10 by the discipline's governing bodies. The task force  
11 shall also develop a proposal for a joint public safety  
12 training facility, a budget for construction and future  
13 operation of the facility, financing options, including  
14 possible public-private partnerships, for construction  
15 and operation of the facility, and potential locations  
16 for the facility that are centrally located in this  
17 state.

18 6. a. The task force shall provide interim reports  
19 to the general assembly by December 31 of each year  
20 concerning the activities of the task force and shall  
21 submit its final report, including its findings and  
22 recommendations, to the general assembly by December  
23 31, 2016.

24 b. The final report shall include but not be  
25 limited to recommendations concerning the following:

26 (1) Consolidation of public safety governance  
27 within a single board and the membership of the board.  
28 Board duties would include overseeing the construction  
29 and maintenance of a consolidated fire and police  
30 public safety training facility.

31 (2) Development of a consolidated fire and police  
32 public safety training facility, including possible  
33 locations, building recommendations, and financing  
34 options.

35 (3) Any other recommendations relating to public  
36 safety training and facilities requirements.

37 DIVISION V

38 CIGARETTE FIRE SAFETY STANDARD FUND ---- APPROPRIATION

39 Sec. 41. Section 101B.5, subsection 5, Code 2013,  
40 is amended to read as follows:

41 5. For each cigarette listed in a certification, a  
42 manufacturer shall pay a fee of one hundred dollars to  
43 the department. The department shall deposit all fees  
44 received pursuant to this subsection with the treasurer  
45 of state for credit to the general fund of the state.

46 Sec. 42. Section 101B.8, Code 2013, is amended by  
47 adding the following new subsection:

48 NEW SUBSECTION. 10. The department shall deposit  
49 any moneys received from civil penalties assessed  
50 pursuant to this section with the treasurer of state

1 for credit to the general fund of the state.

2 Sec. 43. Section 101B.9, Code 2013, is amended to  
3 read as follows:

4 101B.9 Cigarette fire safety standard fund.

5 A cigarette fire safety standard fund is created as  
6 a special fund in the state treasury under the control  
7 of the department of public safety. The fund shall  
8 consist of all moneys recovered from the assessment  
9 of civil penalties or certification fees under this  
10 chapter. ~~The moneys in the fund shall, in~~ In addition  
11 to any moneys made available for such purpose, ~~be~~  
12 ~~available, subject to appropriation,~~ moneys in the fund  
13 are appropriated to the department of public safety for  
14 the purpose of fire safety and prevention programs,  
15 including for entry level fire fighter training,  
16 equipment, and operations.

17 Sec. 44. REPEAL. Section 101B.9, Code 2013, is  
18 repealed.

19 Sec. 45. CIGARETTE FIRE SAFETY STANDARD FUND.  
20 Notwithstanding any provision of law to the contrary,  
21 the first \$50,000 of the unencumbered or unobligated  
22 balance of the cigarette fire safety standard fund at  
23 the close of the fiscal year beginning July 1, 2012,  
24 is appropriated to the department of public safety to  
25 be used for the administrative support of the public  
26 safety training and facilities task force established  
27 in this Act, during the fiscal period beginning July  
28 1, 2013, and ending June 30, 2017. Any remaining  
29 balance of the cigarette fire and safety standard fund  
30 at the close of the fiscal year beginning July 1,  
31 2012, is transferred to the department of corrections  
32 and is appropriated for use during the fiscal year  
33 beginning July 1, 2013, and ending June 30, 2014, for  
34 the renovation or replacement of the farm one bunkhouse  
35 at the Fort Madison correctional facility.

36 Sec. 46. EFFECTIVE UPON ENACTMENT. The following  
37 provision or provisions of this division of this Act,  
38 being deemed of immediate importance, take effect upon  
39 enactment:

40 1. The section of this division amending section  
41 101B.9.

42 2. The section of this division providing for  
43 retroactive applicability.

44 Sec. 47. RETROACTIVE APPLICABILITY. The following  
45 provision or provisions of this division of this Act  
46 apply retroactively to July 1, 2007:

47 1. The section of this division amending section  
48 101B.9.

49

50

DIVISION VI  
SPECIAL AGENTS ---- GAMING

1 Sec. 48. Section 99D.14, subsection 2, paragraph a,  
2 Code 2013, is amended to read as follows:

3 a. (1) A licensee shall pay a regulatory fee to be  
4 charged as provided in this section. In determining  
5 the regulatory fee to be charged as provided under  
6 this section, the commission shall use the amount  
7 appropriated to the commission plus the cost of  
8 salaries for no more than ~~two~~ three special agents for  
9 each racetrack that has not been issued a table games  
10 license under chapter 99F or no more than three special  
11 agents for each racetrack that has been issued a table  
12 games license under chapter 99F, plus any direct and  
13 indirect support costs for the agents, for the division  
14 of criminal investigation's racetrack activities, as  
15 the basis for determining the amount of revenue to be  
16 raised from the regulatory fee.

17 (2) Indirect support costs under this section shall  
18 be calculated at the same rate used in accordance  
19 with the federal office of management and budget  
20 cost principles for state, local, and Indian tribal  
21 governments that receive a federally approved indirect  
22 cost rate.

23 Sec. 49. Section 99D.14, subsection 2, Code 2013,  
24 is amended by adding the following new paragraphs:

25 NEW PARAGRAPH. d. The aggregate amount of the  
26 regulatory fee assessed under paragraph "a" during each  
27 fiscal year shall be reduced by an amount equal to the  
28 unexpended moneys from the previous fiscal year that  
29 were deposited into the revolving funds established in  
30 sections 80.43 and 99F.20 during that previous fiscal  
31 year.

32 NEW PARAGRAPH. e. By January 1, 2014, and by  
33 January 1 of every year thereafter, the division of  
34 criminal investigation shall provide the commission  
35 with a report detailing the activities of the division  
36 during the previous fiscal year for each racetrack  
37 enclosure.

38 NEW PARAGRAPH. f. The division of criminal  
39 investigation shall conduct a study relating to the  
40 number of special agents permitted for each racetrack  
41 under this subsection and the activities of such  
42 agents. The study shall also include input from the  
43 commission and licensees and be combined with the  
44 report under section 99F.10, subsection 2, paragraph  
45 "e". The division of criminal investigation shall file  
46 a final report with the co-chairpersons and ranking  
47 members of the joint appropriations subcommittee on the  
48 justice system and the legislative services agency by  
49 July 1, 2020.

50 Sec. 50. Section 99F.10, subsection 4, Code 2013,

1 is amended to read as follows:

2 4. a. In determining the license fees and state  
3 regulatory fees to be charged as provided under section  
4 99F.4 and this section, the commission shall use as  
5 the basis for determining the amount of revenue to  
6 be raised from the license fees and regulatory fees  
7 the amount appropriated to the commission plus the  
8 following as applicable:

9 (1) Prior to July 1, 2016, the cost of salaries  
10 for no more than two special agents for each excursion  
11 gambling boat or gambling structure and no more than  
12 four gaming enforcement officers for each excursion  
13 gambling boat or gambling structure with a patron  
14 capacity of less than two thousand persons or no  
15 more than five gaming enforcement officers for each  
16 excursion gambling boat or gambling structure with  
17 a patron capacity of at least two thousand persons,  
18 plus any direct and indirect support costs for the  
19 agents and officers, for the division of criminal  
20 investigation's excursion gambling boat or gambling  
21 structure activities. However, the division of  
22 criminal investigation may add one additional special  
23 agent to the number of special agents specified in  
24 this subparagraph for each excursion gambling boat or  
25 gambling structure if at least two gaming enforcement  
26 officer full-time equivalent positions are vacant.  
27 Otherwise, the division of criminal investigation shall  
28 not fill vacant gaming enforcement officer positions.

29 (2) On or after July 1, 2016, the cost of salaries  
30 for no more than three special agents for each  
31 excursion gambling boat or gambling structure, plus  
32 any direct and indirect support costs for the agents,  
33 for the division of criminal investigation's excursion  
34 gambling boat or gambling structure activities.

35 b. Notwithstanding sections 8.60 and 99F.4, the  
36 portion of the fee paid pursuant to paragraph "a"  
37 relating to the costs of special agents and officers  
38 plus any direct and indirect support costs for the  
39 agents and officers, for the division of criminal  
40 investigation's excursion gambling boat or gambling  
41 structure activities, shall be deposited into the  
42 gaming enforcement revolving fund established in  
43 section 80.43. However, the department of public  
44 safety shall transfer, on an annual basis, the portion  
45 of the regulatory fee attributable to the indirect  
46 support costs of the special agents and gaming  
47 enforcement officers to the general fund of the state.

48 c. Notwithstanding sections 8.60 and 99F.4, the  
49 portion of the fee paid pursuant to paragraph "a"  
50 relating to the costs of the commission shall not be

1 deposited in the general fund of the state but instead  
2 shall be deposited into the gaming regulatory revolving  
3 fund established in section 99F.20.

4 d. Indirect support costs under paragraph "a" shall  
5 be calculated at the same rate used in accordance  
6 with the federal office of management and budget  
7 cost principles for state, local, and Indian tribal  
8 governments that receive a federally approved indirect  
9 cost rate.

10 e. The aggregate amount of the regulatory fee  
11 assessed under paragraph "a" during each fiscal year  
12 shall be reduced by an amount equal to the unexpended  
13 moneys from the previous fiscal year that were  
14 deposited into the revolving funds established in  
15 sections 80.43 or 99F.20 during that previous fiscal  
16 year.

17 f. By January 1, 2014, and by January 1 of every  
18 year thereafter, the division of criminal investigation  
19 shall provide the commission with a report detailing  
20 the activities of the division during the previous  
21 fiscal year for each excursion gambling boat and  
22 gambling structure.

23 g. The division of criminal investigation shall  
24 conduct a study relating to the number of special  
25 agents permitted for each excursion gambling boat  
26 or gambling structure under this subsection and the  
27 activities of such agents. The study shall also  
28 include input from the commission and licensees and  
29 be combined with the report under section 99D.14,  
30 subsection 2, paragraph "d". The division of criminal  
31 investigation shall file a final report with the  
32 co-chairpersons and ranking members of the joint  
33 appropriations subcommittee on the justice system and  
34 the legislative services agency by July 1, 2020.

35 Sec. 51. GAMING ENFORCEMENT STUDY. The division  
36 of criminal investigation of the department of public  
37 safety and the Iowa gaming association shall jointly  
38 or separately file a report with the co-chairpersons  
39 and ranking members of the joint appropriations  
40 subcommittee on the justice system and the legislative  
41 services agency by December 15, 2013, detailing the  
42 activities of gaming enforcement officers and special  
43 agents working at excursion gambling boats, gambling  
44 structures, and racetrack enclosures. The report shall  
45 include the number of incidences the gaming enforcement  
46 officers handle versus private security, the number of  
47 fraud investigations and background checks performed  
48 by the special agents, and the percentage of time  
49 gaming enforcement officers and special agents work on  
50 gaming-related and nongaming-related cases. The report

1 shall also include the time periods each excursion  
2 gambling boat, gambling structure, and racetrack  
3 enclosure are not staffed by at least one gaming  
4 enforcement officer or special agent.

5 DIVISION VII

6 MISCELLANEOUS CODE CHANGES

7 Sec. 52. Section 85.67, Code 2013, is amended to  
8 read as follows:

9 85.67 Administration of fund ---- special counsel ----  
10 payment of award.

11 The attorney general shall appoint a staff member to  
12 represent the treasurer of state and the fund in all  
13 proceedings and matters arising under this division.  
14 The attorney general shall be reimbursed up to ~~one~~  
15 ~~hundred-fifty~~ two hundred fifteen thousand dollars  
16 annually from the fund for services provided related  
17 to the fund. The commissioner of insurance shall  
18 consider the reimbursement to the attorney general as  
19 an outstanding liability when making a determination of  
20 funding availability under section 85.65A, subsection  
21 2. In making an award under this division, the  
22 workers' compensation commissioner shall specifically  
23 find the amount the injured employee shall be paid  
24 weekly, the number of weeks of compensation which shall  
25 be paid by the employer, the date upon which payments  
26 out of the fund shall begin, and, if possible, the  
27 length of time the payments shall continue.

28 Sec. 53. Section 654.4B, subsection 2, paragraph b,  
29 Code 2013, is amended by striking the paragraph.

30 Sec. 54. 2009 Iowa Acts, chapter 178, section 20,  
31 as amended by 2011 Iowa Acts, chapter 134, section 21,  
32 is amended to read as follows:

33 SEC. 20. CONSUMER EDUCATION AND LITIGATION  
34 FUND. Notwithstanding section 714.16C, for each  
35 fiscal year of the period beginning July 1, 2008, and  
36 ending June 30, ~~2013~~ 2014, the annual appropriations  
37 in section 714.16C, are increased from \$1,125,000 to  
38 \$1,875,000, and \$75,000 to \$125,000 respectively.  
39 Moneys appropriated from the consumer education and  
40 litigation fund may be allocated for cash flow purposes  
41 to the victim compensation fund established in section  
42 915.94 during each of the fiscal years enumerated,  
43 provided that any moneys so allocated are returned to  
44 the consumer education and litigation fund by the end  
45 of each fiscal year an allocation occurs.

46 Sec. 55. IOWA CORRECTIONS OFFENDER NETWORK ----  
47 FUND. Notwithstanding any provision of law to the  
48 contrary, the unencumbered or unobligated balance of  
49 the Iowa corrections offender network fund at the close  
50 of the fiscal year beginning July 1, 2012, or the close

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1 of any succeeding fiscal year that would otherwise be  
2 required by law to revert to, be deposited in, or to  
3 be credited to the Iowa offender network fund shall  
4 instead be credited to the general fund of the state.  
5 Sec. 56. REPEAL. Section 904.118, Code 2013, is  
6 repealed.>

COMMITTEE ON APPROPRIATIONS

SODERBERG of Plymouth, Chairperson

H-1329 FILED APRIL 22, 2013



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**HF 633** – Capital Gains Tax Exemption (LSB 2096HV)

Analyst: Jeff Robinson (Phone: (515) 281-4614) ([jeff.robinson@legis.iowa.gov](mailto:jeff.robinson@legis.iowa.gov))

Fiscal Note Version – New

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**Description**

**House File 633** creates a new individual income tax exemption for the net capital gains received from the sale or exchange of qualified capital stock. Qualified capital stock is defined as stock received “on account of employment” with a company and while employed by the company.

Each taxpayer is allowed to apply the exemption to one company in their life, and the exemption extends to the stock of affiliate companies of the employer. The exemption extends to gifts and trusts. Qualified heirs are allowed to make the designation in instances where the person dies without making a designation.

This Bill is effective on enactment and applies retroactively to tax year 2013 and after.

**Background**

The state of Nebraska has had a similar capital stock income tax exemption in place since 1987. The Nebraska law includes stock of the employer purchased while employed by the company, so it is not limited to just stock received as compensation. The Nebraska law also applies to extraordinary dividends (dividends in excess of 20.0% of the stock’s market value) received by the employee through ownership of qualified capital stock.

Nebraska publishes estimates of the revenue impacts of their income tax preferences every two years. Over the course of the past five reports, the Nebraska estimate of the annual impact of this exemption averaged \$30.3 million.

**Assumptions**

- The Nebraska Department of Revenue reports that approximately 20.0% of the income exempted from Nebraska income tax through this capital stock exemption is due to the dividend exemption and 80.0% is due to the capital gains exemption.
- In tax years 2009 and 2010, Nebraska taxpayers excluded an average of \$375.5 million through the Nebraska capital stock exemption. Applying the 80.0% factor from number 1 above provides a Nebraska capital gains exemption of \$300.4 million each year.
- Nebraska taxpayers reported an average of \$1,623.9 million in capital gains on their tax year 2009 and 2010 federal tax returns, making the \$300.4 million exemption equal to 18.5% of all Nebraska capital gains reported.
- Iowa taxpayers reported an average of \$1,784.9 million in capital gains for tax years 2009 and 2010. Applying the 18.5% experience of Nebraska, Iowa taxpayers would expect the exclusion to equal \$330.2 million each year.

- Nebraska law applies not only to stock received as compensation, but also to stock of the employer that is purchased by the employee while employed by the company. House File 633 does not extend the benefit to stock that is simply purchased by the employee, so the Iowa impact is expected to be less. To account for this difference, the estimated capital gains exemption is limited to 80.0%, or \$264.2 million per year.
- Tax years 2009 and 2010 were significantly impacted by the recession, so capital gains were depressed. To adjust for the improvements in capital markets since tax year 2010, the \$264.2 million impact is multiplied by 127.4%, providing a tax year 2013 estimate of \$336.6 million. The tax year 2013 amount is also assumed for future tax years in the estimate.
- The average Iowa marginal tax rate is assumed to be 7.5%. This results in a projected annual General Fund revenue reduction of \$25.2 million.
- Although the exemption is retroactive to January 1, 2013, no FY 2013 impact is assumed. The impact of tax year 2013 capital gains events will all accrue to FY 2014.
- With the exception of refundable tax credits, tax changes that impact Iowa individual income tax owed also impacts the revenue raised by the local option income surtax for schools. For the 12 months ending December 2012, the statewide yield from the surtax equaled 2.7% of net state income tax receipts.

### **Fiscal Impact**

The new capital stock income tax exemption created in this Bill is projected to reduce net General Fund revenue by \$25.2 million per fiscal year, beginning in FY 2014.

The impact on revenue generated by the local option income surtax for schools is projected to be 2.7% of the State General Fund impact, or \$680,000 per year.

According to Nebraska tax statistics, this tax exemption is claimed by less than 0.1% of all Nebraska taxpayers. Due to the very small percentage of taxpayers involved, the actual impact in Iowa could be significantly different if the distribution and income sources of Iowa taxpayers within the impacted groups are significantly different than Nebraska taxpayers.

### **Sources**

Nebraska Department of Revenue  
Nebraska Tax Expenditure studies  
Legislative Services Agency analysis  
Iowa Department of Revenue

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/s/ Holly M. Lyons

April 22, 2013

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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# Fiscal Note

*Fiscal Services Division*



**HF 631** – Propane Education and Research Council (LSB 1907HZ)  
Analyst: Jennifer Acton (Phone: (515) 281-7846) ([jennifer.acton@legis.iowa.gov](mailto:jennifer.acton@legis.iowa.gov))  
Fiscal Note Version – New

## **Description**

**House File 631** modifies provisions applicable to the Propane Education and Research Council.

## **Background**

The Iowa Propane Education and Research Council is a nonprofit organization established by the Propane Education and Research Council Act ([Chapter 182, 2007 Iowa Acts](#)). The Council and its activities are funded from an annual assessment from propane marketers in the State of Iowa at a rate of one-tenth of one cent on each gallon of odorized propane sold in Iowa. The Council is required to develop programs and projects to enhance consumer and employee safety and training, provide for research and development of clean and efficient propane utilization equipment, provide information and education to the public about safety and other issues associated with the use of propane, and develop programs and projects that provide assistance to individuals eligible for the low-income energy assistance program. Issues related to research and development, safety education, and training are to be given priority by the Council in the development of programs and projects.

The FY 2012 Iowa Propane Education Research Council Programs and Projects totaled \$284,603. Of this total, \$278,572 was expended as follows:

<b>Project</b>	<b>Amount Estimated</b>	<b>Amount Expended</b>	<b>Program End Date</b>
2012 Energy Star Safe Furnace Rebate	\$ 110,000	\$ 110,000	12/15/2012
Safety Director Project	126,000	126,000	on-going
Continuing Education and Training Materials	15,000	15,000	on-going
Fire Service Training Bureau Fire Schools	12,000	6,600	12/5/2012
Farm Bureau Co-Sponsor	1,000	1,000	9/30/2012
2012 DOT Hazmat Classes	4,000	3,493	7/18/2012
LIHEAP "Out of Gas" Brochures	600	476	12/13/2012
Coloring Book Project for the State Fire Marshal	6,160	6,160	6/30/2012
Fire Training Bureau Prop	9,425	9,425	5/31/2012
Propane Railcar Research Project	418	418	1/31/2012
	<u>\$ 284,603</u>	<u>\$ 278,572</u>	

Projects are not done on a calendar year. Some dollars not used in 2011 were used in 2012.

The one-tenth of one cent on each gallon assessment took effect January 2008. The following chart shows the amount collected by the assessment each calendar year.

Iowa Propane Education and Research Council Assessment				
2008	2009	2010	2011	2012
\$ 335,569	\$ 486,027	\$ 324,430	\$ 321,781	\$ 272,435

According to the U.S. Energy Information Administration, the following is information on all sales and deliveries of Iowa propane by prime supplier.

Iowa Propane All Sales/Deliveries by Prime Supplier						
(Thousands of Gallons Per Day)						
2005	2006	2007	2008	2009	2010	2011
791.2	769.2	817.0	1,108.5	1,285.9	890.0	815.6

This Bill permits the Council, upon majority vote, to increase or decrease the annual assessment as necessary, but the amount cannot exceed two-tenths of one cent on each gallon of odorized propane sold. The amount collected by the council has been decreasing in recent years due to mild winters and dry summers, and therefore, lower propane sales. The following is an example comparing this Bill to current law:

<b>Current Law</b>	1,000 gallons x .001=\$1.00
<b>HF 543</b>	1,000 gallons x .002= \$2.00

### **Fiscal Impact**

There is no impact to the State General Fund.

Based on the calendar year 2012 experience, the maximum impact to propane retailers will be an annual assessment fee increase statewide of \$272,000, for a total impact of \$544,000.

### **Sources**

Department of Public Safety  
Iowa Propane Gas Association  
U.S. Energy Information Administration

/s/ Holly M. Lyons

April 22, 2013

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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Amendment [H-1291](#) to [SF 396](#) – Government Efficiency (LSB 1864SV.2)  
Analyst: David Reynolds (Phone: (515) 281-6934) ([dave.reynolds@legis.iowa.gov](mailto:dave.reynolds@legis.iowa.gov))  
Fiscal Note Version – New

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### **Description**

Amendment [H-1291](#) to [SF 396](#) requires the Department of Administrative Services (DAS) to develop and implement a plan to centralize all Executive Branch human resources (HR) management functions within the department and requires all state agencies, except the Board of Regents, to cooperate with the DAS consolidation efforts. According to the department's tentative plans, HR consolidation will be implemented in three phases.

The amendment also eliminates the Abuse Education Review Panel and assigns the responsibilities of the review panel to the Department of Public Health.

### **Background**

In response to Executive Order 20, issued in December 2009, the DAS conducted research relating to the feasibility of consolidating all Executive Branch HR functions under a single entity. The department's tentative plan is to accomplish HR consolidation in three phases over three fiscal years.

- Phase I: Consolidation of human resource associates and personnel assistants (technical staff) into the DAS HR enterprise.
- Phase II: Consolidation of professional staff responsible for compensation, labor relations, workers' compensation, and general consultation services into the DAS HR enterprise.
- Phase III: Consolidation of professional staff responsible for recruitment, nonmerit selection, affirmative action, discrimination and harassment investigations, civil rights, workforce, and diversity planning. Also included in phase III are additional savings associated with the acquisition of a Human Resources Management System (HRMS)/payroll system to replace the current mainframe system that was purchased in the 1980s.

### **Assumptions**

- The estimates associated with the reduction of HR costs are based on research conducted by the DAS in 2010 and updated in 2011. The savings to the state's HR functions will result from the elimination of positions assigned to HR.
- Phase I will result in the consolidation of HR services of 16 state agencies into the DAS HR enterprise in FY 2014, resulting in a decrease of 34.0 FTE positions with an average salary and benefit cost per FTE of \$60,582.
- Phase II will result in the reduction of 4.0 FTE positions with an average salary and benefit cost per FTE of \$55,000 in FY 2015.
- Phase III will result in the reduction of 10.0 FTE positions in FY 2015, with an average salary and benefit cost per FTE of \$112,500. To accomplish Phase III of HR consolidation, the DAS plans to acquire an HRMS/payroll system to replace the current mainframe system. The initial implementation fee of a new system is estimated to cost between \$3.0 million and

\$4.0 million. An annual fee of \$2.0 million to \$4.0 million will be required to maintain the system. It is assumed that the cost to purchase the HRMS/payroll system will be assessed to state agencies through a utility fee established by the state's customer council. For purposes of this fiscal note, the midpoint of the above estimated ranges are used.

### **Fiscal Impact**

Amendment H-1291 is estimated to reduce the state's net cost of HR management by \$405,000 annually and a reduction of 48.0 FTE positions when fully implemented in FY 2016. For FY 2014, the reduction in HR costs are estimated to save \$2.1 million. For FY 2015 and subsequent years, the estimated savings in HR costs will total \$3.4 million due to the elimination positions assigned to HR functions. The costs associated with the acquisition of an HRMS/payroll system are estimated at \$6.5 million in FY 2015. Of this amount, \$3.5 million is a one-time implementation fee. The table below shows the impact of amendment H-1291.

	FY 2014	FY 2015	Annual Impact in Subsequent Fiscal Years
<u>HR Consolidation</u>			
Phase I	\$ -2,059,802	\$ -2,059,802	\$ -2,059,802
Phase II		-220,000	-220,000
Phase III/HRMS Efficiencies		-1,125,000	-1,125,000
Subtotal HR Consolidation	<u>-2,059,802</u>	<u>-3,404,802</u>	<u>-3,404,802</u>
<u>HR Management System/Services</u>			
Implementation Fee (One Time)		3,500,000	
Annual Cost of SaaS		3,000,000	3,000,000
Total Impact	<u>\$ -2,059,802</u>	<u>\$ 3,095,198</u>	<u>\$ -404,802</u>
FTE Positions (numbers are cumulative)	-34.0	-48.0	-48.0
HRMS = Human Resources Management System			
SaaS = Software-as-a-Service			

Many of the employees currently performing HR functions in state agencies split their duties between HR and other core functions of the departments. The HR consolidation with amendment H-1291 may allow state agencies to reassign existing resources and positions currently used for HR purposes to other program areas associated with departments' missions. As a result, a portion of the expenditure reductions associated with HR consolidation could be offset through the reassignment employees that currently spend only a portion of their time performing HR work to other areas within the agencies.

The provisions of this amendment that eliminate the Abuse Education Review Panel will not have a fiscal impact.

### **Sources**

Department of Administrative Services  
Department of Public Health

/s/ Holly M. Lyons

April 22, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.